




3 1761 11649590 4



Digitized by the Internet Archive
in 2023 with funding from
University of Toronto

CA20N PM81

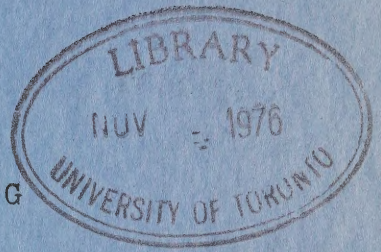
-65V26

(4)

Government
Publications

ONTARIO ADVISORY COMMITTEE ON CONFEDERATION

M E E T I N G



held at

The Frost Building, Queen's Park, TORONTO

on

FRIDAY, SEPTEMBER 15, 1967

VERBATIM REPORT OF PROCEEDINGS

Meeting held in the Board Room, 5th floor,
The Frost Building, Queen's Park, Toronto,
on Friday, September 15, 1967.

ONTARIO ADVISORY COMMITTEE ON CONFEDERATION

Present:

Mr. I.M. Macdonald (Chairman)

Prof. A. Brady

Prof. D.G. Straighton

Dean E.N. Dillon

Dr. E. Forsey

Prof. P.W. Fox MEETING

Dean W.E. Lederman

held at

Mr. P.W. Fox, M.P.

The Frost Building, Queen's Park, TORONTO

Prof. A.G. Wilson

on

Mr. J.M. Wilson

FRIDAY, SEPTEMBER 15, 1967

Mr. A.G. Wilson

Mr. J.M. Wilson

Mr. J.M. Wilson

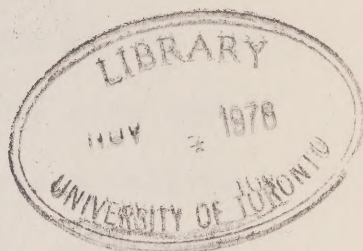
Mr. J.M. Wilson

Mr. J.M. Wilson

Mr. J.M. Wilson

Mr. J.M. Wilson

VERBATIM REPORT OF PROCEEDINGS



ONTARIO ADVISORY COMMITTEE ON CONFEDERATION

Meeting held in the Board Room, 6th floor,
The Frost Building, Queen's Park, Toronto,
on Friday, September 15, 1967.

PRESENT:

Mr. I.M. Macdonald (Chairman)

Prof. A. Brady

Prof. D.G. Creighton

Dean R.M. Dillon

Dr. E. Forsey

Prof. P.W. Fox

Dean W.R. Lederman

Mr. C.R. Magone, Q.C.

Prof. J. Meisel

Prof. R.C. McIvor

Mr. J.H. Perry

Prof. T.H.B. Symons

Mr. D.W. Stevenson)

Mr. R.A. Farrell)

Co-Secretaries

Mr. C. Beer

Mr. G. Posen

Mr. P. Venton

Mr. E. Greathed

Mr. A. Murray.

-----THE CHAIRMAN: Well, sparse as the attendance is, I think we had better begin.

I have first of all those who have indicated that they will not be here this morning, five in number - Father Matte, Mr. Seguin, Professor McWhinney, Mr. Gathercole and Professor Conway. I presume others may arrive in time.

There are two new members of the Federal-Provincial Affairs Secretariat who have been working during the summer on various matters to do with the Committee. Don, you might introduce these members.

MR. STEVENSON: First, I think some of you already know Mr. Ed. Greathed down at the end, who has been teaching political science at the U. of T. for the last year, and has been for some time Secretary of the Canadian Institute of International Affairs, in which capacity I think he met a number of you. He has been acting, since the first of July, as day-to-day chief of research in day-to-day matters in the Secretariat, and will take a keen part in all future work in the Government in this area.

The other new member is Andrew Murray, who is sitting next to Ed. Andrew has been spending his time on a full-time basis from the end of June between the Secretariat and our Economic Planning Branch. He has just finished a year as an administrative trainee

in the Ontario Government, where he spent a month or two in each of half a dozen different departments, getting the feel of the Ontario Government. I think his contacts in other departments are particularly useful for some types of projects which we are carrying out in the Secretariat.

We also are obtaining come Monday, a girl for the Secretariat who will be really continuing on from some of the work that has been done during the summer by students. She is a graduate in French and English who has just spent two years at University of Strasbourg after graduation from Toronto and then five years combining newspaper reporting and high school teaching of French. She will be working particularly in the area of translations, the back-up and cultural-educational side, and in the general administrative work of the Secretariat.

THE CHAIRMAN: Thank you. As I indicated in my letter, I had a session with the research and policy sub-committee, with a view to casting our eyes over the year to come and considering the most appropriate use of our time and direction of our efforts; and it seemed to me as I indicated in the letter about the meeting, that for a number of reasons I felt we should be trying to direct our attention a little more explicitly to some particular and some practical problems, suggesting that a lot of the more

specifically conjecture and work which we have done has been immensely useful both to the Committee as a whole and to the Government, and that we should now go forward into a new stage of trying to perhaps develop policy themes and policy directions.

This task, I think, will be made very much easier by two pieces of work which have taken place in the Secretariat during the summer months, one of which has just been placed before you this morning, and the other which will appear certainly before the next meeting. One is the work of the Ontario Advisory Committee on Confederation from the beginning to the present time, considering the papers we have done and the subjects we have explored. The second, the one to come, is a summary of major topics discussed by the Ontario Advisory Committee on Confederation from the beginning to the present time.

I am sure you all sensed, as I did, that we had covered a great deal of ground, but it was difficult just to get hold of the thing and see exactly what it was we had done, and to look back to see which phases perhaps we had not followed through and to which phases we might turn further attention.

Now, Don or Ed, would you care to add any remarks to this? I will say a little more about

the direction I would like to see matters followed when I talk about the agenda for today.

MR. STEVENSON: I do not think so right now. This sheet is self-explanatory. Someone may have quibbles about the categories in which the several subjects have been placed, particularly results, when it really refers to some document having been produced, whether or not in final form and whether or not leading to further results, but on the whole I think it covers just about all research projects which have been brought up during committee. There are several other reports which one could have put into this compendium but which did not seem to bear a direct relationship to the actual proceedings of the Committee.

DR. FORSEY: My third one is missing as far as I can discover.

MR. GREATHED: Which paper was this based on?

DR. FORSEY: "The Legislatures and Executives in the Modern Federation" or something of that sort. It was in the published volume. At least I can't find it here at all.

MR. GREATHED: Thank you very much.

DR. FORSEY: Possibly covered by what Mr. Stevenson said about not being very relevant, I don't know. I thought it was myself. I am hardly an impartial witness.

MR. STEVENSON: That most certainly was relevant.

THE CHAIRMAN: I do not think the staff attempted to edit on that basis.

MR. GREATHED: Don, if I could just add a word, I would like to emphasize that this is a draft, and comments such as Dr. Forsey made and any comments that others have we would appreciate very much, because it may well be that we did leave out one or two items though with no intention of doing so.

DR. FORSEY: I hesitate to raise it, but I am rather afraid it may be relevant.

THE CHAIRMAN: We will certainly remedy that. If you would cast your eyes over that, if there are any errors or omissions, we would be glad to have them.

Two other administrative matters: one, a word on the index of newspaper clippings. Don.

MR. STEVENSON: I will ask Ed again to describe it, but it will be ready, I think, by the next meeting of the Committee.

MR. GREATHED: Very briefly, we have thought that because the monthly summary had been produced now for approximately a year and a half, it would be helpful to its users if we had an index to its contents, primarily a subject index. We have therefore started to work on the 1966 issues of the monthly summary, and we will be working on the 1967 issues as soon as the '66 index is complete.

I think that is all I can say.

MR. STEVENSON: We just wanted to make this known so that anybody who did have a research use for back clippings, or did want to do research on a particular topic, could make use of the files we do have in the Secretariat.

THE CHAIRMAN: Now, the second item has to do with the progress report on the one volume publication of the background papers and reports. Gary.

MR. POSEN: By today we should have the last of the galleys, and they should be proof-read by the beginning of next week, and in the next week or two all the page proofs will be in and checked. So that I expect by the end of the month or beginning or first few weeks of October, the volume should be ready.

THE CHAIRMAN: We have a tremendous backlog of interest in and requests for this book. It appears they have been coming in for months now, and we have been promising copies when they arrive.

DEAN LEDERMAN: This is going to be put out by the Queen's Printer for a price, or free distribution? I am just curious.

MR. POSEN: It has not been decided yet. It will either be free or at the cost of publication.

MR. STEVENSON: We have recommended that it be not free.

THE CHAIRMAN: It is being published by the Queen's Printer and printed by Copp Clark?

MR. POSEN: Copp Clark.

THE CHAIRMAN: I think any price that is charged will be a very modest price no doubt, but there is certainly a problem we are anticipating, and that is potential demands of some magnitude for university courses and text book purposes and that sort of thing. We will have to anticipate whether we are merely going to be making it as a matter of public interest available, or whether it become an item of stock demand.

DEAN LEDERMAN: Anyway a charge tests the seriousness of the applicant.

MR. STEVENSON: Another publication that, I mean, I know you don't have on your list but I thought we might make reference to, is the speeches of the three party Leaders in the Confederation Conference debate.

THE CHAIRMAN: Oh, yes.

MR. STEVENSON: Last May, which have now been put together in a booklet and they are in the process of being given fairly wide distribution by the Government. I can pass around the copy if you would like to take a quick look at it.

PROF. BRADY: Have they not been sent to members?

MR. STEVENSON: I do not think they have been. I think we should. We will make a point of sending it around.

DEAN LEDERMAN: You sent us the Hansard version.

MR. STEVENSON: Right. This is a much handier volume for your shelves, I think.

THE CHAIRMAN: We will see that is made available.

There is one other item I want to discuss. Before I do, I would like to say a word about the agenda on which I have made a slight modification and it appears as it is placed before you. I made this modification because I have to go across the street at ten o'clock for a short period, and I thought, therefore, that we should adjourn the plenary session at ten and go directly into sub-committees.

What I would like to say about the plans of the day is this. There are essentially three items I would ask to consider today. One is the agenda for the Confederation of Tomorrow Conference which we have been working on with considerable attention as you would imagine. Secondly is Mr. Perry's paper on the question of the National Capital and matters related thereto. Thirdly, is to consider detailed and specific research plans and discussion plans for the year,

and for this purpose the members of the Secretariat will be bringing forward suggestions and ideas which you can then develop and appraise.

We thought, therefore, that we would meet in sub-committee in the morning; at ten o'clock take perhaps an hour to consider these research aspects and plans for the coming year; and at eleven o'clock for an hour and a half, to consider the agenda for the Confederation of Tomorrow Conference; have a lunch in here at 12.30, and then resume at 1.30 and devote an hour to each of the three topics - Confederation of Tomorrow, National Capital and research projects - and adjourn at 4.30.

Now, the members of the Secretariat will be sitting in with each sub-committee and have a good deal of the background of my own thinking and of the work that we have done here, as well as the thinking of the research and policy sub-committee which met last week.

As I mentioned, I felt that at this time we should take a pretty good look at where we are going. I do not know what the Prime Minister's intentions would be after October 17th, but I would presume he will want to retain the Committee. If there should be a change in the political fortunes of the province, I won't speculate at all what that might bring, but in any event I think it is a good time to take a

pretty sound look at our direction.

So if that is agreeable for the Committee, that the sub-committees meet in the usual locations --

PROF. BRADY: The cultural affairs and constitutional committee had better meet together, I think, as we had been.

DEAN LEDERMAN: Whatever you think.

MR. STEVENSON: I thought we had -- I think that is quite up to the members, Dr. Brady.

PROF. BRADY: Your suggestion was that ---

MR. STEVENSON: That they meet separately.

PROF. BRADY: To consider the report, you mean?

MR. STEVENSON: No, just ---

PROF. BRADY: I think we can meet separately later, but I think we ought to have a look at these subjects for the Conference. I don't see how you can discuss these matters really separately.

DEAN LEDERMAN: No, I would agree with that.

PROF. BRADY: Confederation of Tomorrow, you cannot separate cultural and constitutional issues. Actually the group in the cultural affairs is very small anyway. There are only three members.

DEAN LEDERMAN: We have an absent member too, so I think this makes a lot of sense.

THE CHAIRMAN: There are two problems, then, about the sub-committees. As I mentioned, there are two items I wanted considered there. One is the Conference and the other is the research items. Now, according to the preparation we have done, I think the research items do fall fairly well into the three categories. As far as the Confederation of Tomorrow Conference is concerned, it seems to me the choice is to either meet in three sub-committees or to meet in plenary. Because I think the same argument applies - would you not say, Harvey? -- to the economic and fiscal, if we are talking about national goals - that is the subject of the Conference.

MR. PERRY: I think so, although I think when we get started out in sub-committees we might have a look in sub-committees at the agenda. I have a blank mind at the moment as to what is on it.

MR. STEVENSON: We had felt, Mr. Chairman, and I guess unfortunately because you have to leave there has not been time this morning to introduce it: the kind of discussion we felt would be useful in sub-committees of the Confederation conference agenda was that each of the sub-committees could be looking at the four major agenda topics as Mr. Roberts has laid them down, starting with the topic of particular interest to that sub-committee and then branching out into the whole, with the idea

of developing more precise sub-topics within it and the kind of information which the members of the Committee would like to see in background information transmitted to other governments in advance of the conference, or the kind of ideas and subjects which members would like to see come out during discussion of these major topics at the conference itself.

We felt that perhaps a discussion of this might begin in sub-committees because of perhaps the advantage of having the small group look at these items first, and then perhaps being discussed in the afternoon after the three groups had presented a list or had reached some kind of documentation during their morning session; although it is a little awkward I think, if two committees come together, such as cultural and constitutional and then we have an economic and fiscal sub-committee of two members while Mr. Macdonald is across the road.

PROF. McIVOR: I think in view of the fact that Ian has not had much opportunity to introduce the main policy of the proposed agenda at the Confederation of Tomorrow Conference, that perhaps we should meet in three sub-committees and concentrate our activities on potential research projects that each sub-committee might undertake and leave the weight of the discussion of the Conference agenda until we are back in plenary

session.

THE CHAIRMAN: In addition to the fact that the committees are constructed as they are, my thought was that the matter would be better discussed in small groups, and then led to the larger group, and the staff is prepared in the small group to describe in some detail the full workings that we had prepared up to this time on where we were going. I did feel this would be the more efficient use of the time of the day.

All I can suggest then, in view of this turn of events, is that you do break into sub-committees now to carry on with the research projects, and then perhaps I will have moment to reconsider the thing, in discussions with the staff, about accommodating to this change as soon as I get back. I do not know how long I will be away. I think if we could go on in into the research proposals then now and do that.

--- AT 10.00 a.m. the Committee broke up into sub-committees, and resumed in plenary session at 1.30 p.m.

THE CHAIRMAN: I apologize again for having to leave quite so early this morning, but the discussion were not entirely far removed from what you were discussing here.

Before we get into the main business at hand, there is one matter I wanted to comment upon

before we did anything this morning, but I kept it over until all who were going to be here were here. That is, that I thought the Committee would, through me, want to recognize the very high honour that came to one of our members, Professor Creighton, in the first listing of the Order of Canada this year.

--- Applause

PROF. CREIGHTON: Perfectly unexpected, as was the original.

THE CHAIRMAN: I cannot claim that we are entitled to reflected glory, but we are certainly very conscious of the high honour in our midst.

I did not have an opportunity to say as much as I would have liked before leaving this morning, about the thoughts for the future. The matter, of course, which is very much in our minds at the moment, is the preparation for the Confederation of Tomorrow Conference, and the formal letters of invitation are about to be despatched to other heads of governments.

As you know, the proposal is that certain teams of civil servants from the Ontario Government will visit - at least it will be offered that they will visit other jurisdictions and counterparts in other jurisdictions, to discuss the plans for the Conference and the contents of it.

I feel both in connection with the Conference, for which I think the Government must certainly know its own mind before it goes into that Conference, but in terms of the situation in general, that we should be developing a more coherent position than we have in the past.

I say quite frankly, and this is only a private thought of mine but I am sure it is one you would appreciate: I think the Prime Minister of Ontario, having now at last been able to assure people that he was not preaching for a call to national political office by taking an interest in the national affairs of the country, is in an even stronger position to take a responsible position of leadership on matters of interest not only to the province but to the country as a whole. I know that his feeling is that we must continue to be more positive in the things which are set out as matters of priority to the country and matters which we believe to be issues which can be compromised upon and issues against which we must hold firm.

I also think that the recent announcement of intentions for French language instruction in secondary schools has demonstrated good faith to proceed with the recognition of the duality of the culture, so to speak; and that that too makes it possible to take a much more positive stand on other matters that we regard as important to the

future of the country.

So for all those reasons, and in particular the imminence of the Confederation of Tomorrow Conference, I had suggested that we might be able to crystallize some of the many thoughts we have had and the avenues we have explored over the last few years, and come to some conclusions about, as it were, a point of view for the province.

The delicacy in this, it seems to me, is that the whole purpose of the Confederation of Tomorrow Conference is not to have a confrontation as it were, of set positions; on the other hand, I think it is not wise to go into something with no position whatsoever. That is why I suggested the sub-committees might work on those matters as they were, and then we might carry them forward this afternoon.

So we have the three items - Confederation of Tomorrow Conference, National Capital, and then reports on projects of investigation by the three committees. I do not think it matters particularly the order in which we approach these. It has been suggested that the Secretariat are putting together summaries and reports of the morning's proceedings. For that reason, it might be useful to treat the National Capital question first, and then when we have the report from the Secretariat in hand, to deal with the other two items.

If that meets with your approval, we might, I think, go on to the National Capital question. As you know, Harvey Perry was asked to try and bring together the various strands and pieces in this item, to enable us to try to reach either a consensus or at least a position within the Committee.

MR. STEVENSON: If anyone did not bring his copy of Mr. Perry's paper, I have two extras here which they might want to look at.

THE CHAIRMAN: Now, Mr. Perry alluded in his paper to an approach which had been made by the Prime Minister of Canada to the two provincial Premiers in Ontario and Quebec, suggesting that there should be discussions, perhaps even at quite high level, a committee or commission appointed, tripartite commission, to examine this question.

Frankly, as far as the Ontario Government is concerned, there will not be any further consideration of that proposal until after October 17th. This is for no hidden reason: there are simply other things going on obviously, and after that date the question will be considered on its merits.

Harvey, you have got the work in hand here.

MR. PERRY: I have said everything I wanted to say in this memorandum.

THE CHAIRMAN: O.K.

MR. PERRY: I should say I did review this, and quite extensively, the documentation that we had (this is most of it) thinking I might try to synthesize that, but concluded after reading it all that we had all the detailed material that we needed; that the function of this Committee should be to try and establish three or four general criteria which should be met in any changes in Ottawa, and that nearly everything else was going to be up to some other body or some other agency to put into effect.

In my own memorandum most of this material appears on page 7 and 8, and unless we go back all through the documents that we already have, I would think discussion of these points that I have set out will be the quickest way of focusing, because if there are objects in addition to this or different approaches, I think it is for this Committee to decide.

PROF. BRADY: You really conclude, Harvey, that the three authorities - the Federal Government, the Government of Ontario and the Government of Quebec - are really the authorities that should come together and reach some kind of agreement as to what it should do with this capital area; they are responsible for action and they ought to take some action. That, I think, is the first basic point that strikes me that you bring out.

I would find that view quite acceptable. It is difficult indeed not to accept it. You mentioned that the three authorities should investigate the problem through some type of committee or commission. You are not implying, I gather, the appointment of another Royal Commission, or at least that is the impression I get. I think, if I am right in interpreting you, you are also sound in that. We hardly need a Royal Commission to spend the next three or four years compiling more information which will probably show very little more than what we know today.

The crucial need is for the three governments to appoint representatives, a small committee, that will, after investigation, hearing the multitude of interests that are involved here (other municipalities, for example, in the area) come up with a working scheme, and that seems to me very sensible.

MR. PERRY: Alec, of course, as you realize, this proposal really grew out of my discovery of the fact that the Federal Government had put the suggestion forward, and I certainly support it.

What is very conspicuous here is the lack, as of today even, of any effort to get together the three main senior governments involved to arrive at some sort of settlement. This has never been

done, and I do not think any progress is going to be made until it is done.

PROF. CREIGHTON: Surely though that is a very important step for the Federal Government to have taken. The most important part of Mr. Perry's report, summary of the previous findings and discussions, is on page 7 and 8. It seems to me that the main thing that we ought to do here is to discuss the objects or purposes which he sets out on page 7, and suggest what ought to be the aims that one would attempt to realize in the re-organization of the district; then, following that, the implications of these particular aims, which certainly limit and restrict the options which you have for the area.

It seems to me that we do not need to go any further in trying to suggest, unless Mr. Perry has himself a particular or more definite proposal to make, than to set out those main objects and some of their implications and have done with it.

MR. PERRY: No, I have not had any further thoughts, and I think to put clothes on these proposals, of course, would take perhaps another two years, and I didn't think that was my function.

Would you want me to go through these, even if I just read them? I have done this on the basis of the aims or requirements of the

levels of government.

First, for the Federal Government - the arrangement that would best facilitate the development of its own physical plant in Ottawa; its objectives for the enhancement of the physical beauties of the National Capital, and its objectives for a federal Civil Service symbolic of our bicultural heritage.

Now, the physical plant aspect is quite significant, because the Federal Government is the principal property-owner in Ottawa. Its future building requirements there are quite extensive. I had access to some confidential material that the Treasury Board has prepared on this, and the figures are quite staggering in terms of simply the amount of building that has to be done in Ottawa to replace out-worn accommodation and to meet new needs. This gets into all sorts of complications as to who provides roads and sewers and water and a multitude of things that any real estate developer, I guess, gets into as soon as he turns the sod. So I think, whatever the arrangement is, it has to facilitate the activities of the largest entity in Ottawa.

The enhancement of the physical beauties of the National Capital, this, of course, is something that is already in progress in a sense through the National Capital Commission, and on which quite a bit of money has already been spent.

Yet by no means are the present arrangements satisfactory. There is a great deal of confusion as to plans for the area, who has jurisdiction over the plans, what their long-range objectives should be, and all the rest of it.

The third objective, I thought, probably had been made fairly conclusive with the Premier's announcement of bilingual schools. We heard over and over again from the Federal people that this was the first step that had to be taken, essential step.

I do not have much sympathy with the feeling that the Federal Government is such a predominant factor in Ottawa that it must have control over every aspect of the environment. There is no reason why a Federal Minister of Parliament or Member of Parliament should suffer any less inconvenience in getting to work than the general manager of a large corporation in Toronto, I wouldn't think. Why set a special sort of status for Ottawa in these terms. This sort of statement, of course, is a direct challenge to the concept of a separate federal district. This is what it gets down to; this is the heart of this sort of approach, and I am afraid I am not unbiased on this. I have just never been sold in the idea - the necessity of turning this into federal territory, if you want to call it

that, but there are other views, I know that very well.

PROF. MEISEL: Harvey, do you mind if we interrupt?

MR. PERRY: Not a bit. I thought I was just leading the discussion here.

PROF. MEISEL: I must admit I am taken by the notion that one tries to achieve whatever one can in Ottawa without going to this terribly complicated business of creating a completely new governmental body, but I am not sure that the objectives that you state here go far enough.

I think perhaps one might go further than you suggest under the first heading, without going to the trouble of creating an entirely new creature. The kind of thing I have in mind is the symbolic importance of a national capital, I think, cannot be achieved, developed fully, if one stopped at the sort of level that is suggested by your first points.

I think, for instance, a very extensive collaboration between the City of Hull and the City of Ottawa with perhaps the provincial governments and the Federal Government involved and certainly providing funds, would be a kind of working model of one kind of collaboration that a country that is composed of two linguistic groups can attempt, and I think that does not come through.

MR. PERRY: I am afraid I took the easy

way out and said "for the moment I am going to talk about Ottawa" on page 3.

PROF. MEISEL: But can you?

MR. PERRY: "Put aside the position of Hull for the moment", and I come back to it on page 8. Everything in between is about Ottawa. I just found I couldn't deal with it; I couldn't tackle the two of them.

PROF. MEISEL: I think that is probably a very wise way of going at it, but in the end when we come to a decision on what we want to recommend, if anything, I think we have got to look at them together. We just cannot isolate them.

MR. PERRY: I think I come out on your side on page 8.

MR. STEVENSON: Although, Mr. Chairman, this was the one point that hit me in going through it, and where you say that:

"I would suggest that the question of

"Hull be left to be considered as a

"separate issue by the Federal

"Government and the Province of Quebec".

This disturbed me a little, because I felt that really if you were going to have a discussion by members or appointees of the three governments most concerned, then this commission or group should look at both the Quebec and Ontario side.

PROF. BRADY: They would have to,

wouldn't they?

MR. STEVENSON: It is at the top of page 9.

MR. PERRY: No, I agree, if you can get the three parties to work together on this - putting it another way, this is the essential thing, to have the three parties work together.

PROF. CREIGHTON: Surely that is the point, that the invitation of the Federal Government by no means implied that there is going to be a favourable response from the Province of Quebec. In fact from the information we have had before this, and certainly from the information which was given us at the time of the January conference, when we met with our French Canadian friends, the whole implication of their remarks was that there was no conceivable possibility of any very serious co-operation to produce a new form of government for the capital district.

MR. PERRY: There is a real dilemma here, and that is that everything that comes out of discussions in Hull is along the lines that the provincial government should take Hull in hand and beautify it.

PROF. CREIGHTON: They simply said flatly they were not in the position and had no intentions of ceding territory.

MR. PERRY: The provincial government just doesn't have the funds, so that Hull is going

to turn out to be the orphan here, I am afraid. Anyway, I think the considerations are different there. It is largely a matter of the physical rebuilding of Hull, involving a very considerable amount of money. One thing that the Federal Government could do would be to put more of its buildings over there.

PROF. MEISEL: Quite.

MR. PERRY: I understand the main difficulty here is the Minister of Public Works, Mr. McIlraith.

PROF. McIVOR: Does it misrepresent your position here, Harvey, to say that in your view what needs to be done in this whole problem could be accomplished by the Federal Government acting jointly with the Province of Ontario and municipalities in the Ottawa area on the one hand, sort of a self-contained operation, and then the Federal Government operating in conjunction with the Province of Quebec and the Hull municipality complex upon the other hand?

MR. PERRY: Well, put it another way. I don't see how the provincial government of Ontario can have much influence on what is done in Hull unless as a member of a tripartite commission or enquiry or unit of government for the area; but we can make this part of our recommendation, that Hull be taken into whatever plans are involved, but in no way is it part of

the authority of the Province of Ontario.

PROF. McIVOR: But you are inclined to reject the general approach that a capital district should be established by trying to integrate Ottawa-Hull communities into one unit?

MR. PERRY: I do not think it need be established that way. My own views, I think, are quite clear, that Hull is a mess and it should be cleaned up. Whether this turns out to be a responsibility of the Federal Government, of the Province of Quebec, of the two of them acting jointly, will have to be settled. I really do not see that it has much to do with the Province of Ontario now.

PROF. BRADY: Harvey, would it not be appropriate for us to be positive here? We are not the Government of Ontario obviously, but we are making a recommendation about this capital area and how it should be dealt with; and some initiative on the part of the Federal Government in spending money in Hull would seem to be imperative to improve really Hull's appearance and its economic position. This is an interest that is national, anyone considering an improvement of the capital area of Ottawa has to consider that factor.

It seems to me that there could be added to your statements, which I think are very admirable, something concrete to that effect.

Something concrete to that effect would not be out of harmony, would it, really, with your general argument?

MR. PERRY: No, I don't see it would, except that I was trying to limit myself here to advice which this Committee might, with some competence, give to the Province of Ontario.

We don't know what the issues are involved in having the Federal Government put property into Hull. I suspect the engineering problems of the one building they did put over there have not been very encouraging. If this could be expressed as a token of good faith or good intentions or something, but I don't think we have any particular competence or authority in this at all, and I think our expressions would be treated in that light.

However, I do not disagree. Hull is a disgrace. Something has to be done about it, and the Federal Government could do quite a bit. They do say in Ottawa, though, that the real difficulty is with George McIlraith.

DR. FORSEY: There may be a difficulty beyond George McIlraith. I think there may be quite a lot of people who would wonder whether it was wise to become hostages of fortune in the present state of the Quebec government's mind at all events, by putting a whole lot of money into buildings (appropriately known in French as

("immeubles" - immovables) in the Province of Quebec when after a bit Monsieur Johnson (or whoever succeeds him when he is gathered to his Father) just says with a gesture "come and get it.. This property is ours in the division of the assets".

MR. PERRY: All this convinces me my original hunch was right in leaving Hull as a separate problem.

PROF. CREIGHTON: Mr. Chairman, the whole point is this Committee was established to give advice to the Province of Ontario, and I wouldn't think we ought to give advice to the Federal Government or Province of Quebec.

MR. PERRY: You can if you like, but I would think other people would quite well say: "What competence is this of yours? You don't know anything about it at all".

5

PROF. BRADY: I think it is very relevant, for example, if your purpose of any report you make is to improve the capital area of Ottawa. I don't see how you can improve it actually without doing something with respect to Hull. I think that is inescapable and I do not think you can accomplish much about Hull unless you spend money there.

DR. FORSEY: My feeling is that about all we can do in the way of advising the Government of Ontario on this is perhaps to suggest that it

should be receptive to the idea of discussions with the Province of Quebec. If the Province of Quebec is willing to co-operate, I certainly do not think we should be advising the Government of Ontario to stick their hands in the air and say: "No co-operation from us"; but if the Province of Quebec is not willing to co-operate, there is not much point in our saying to the Government of Ontario: "You ought to try and do something about Hull" because they obviously are not interested.

MR. STEVENSON: There has been some interest shown within the Government of Quebec, or at least in some contacts we have, that at least they would be quite interested to discuss further some kind of change in stature of the National Capital Commission; possibly having it an essentially tripartite body from the three governments, and possibly with some extended powers, combined with a movement towards regional governments on both sides of the Ottawa River; and that this kind of outcome could well be a development of the kind of proposal the Federal Government is suggesting.

DR. FORSEY: Can we do anything more than suggest that the Ontario Government should be receptive to anything that comes out of the Province of Quebec in response to the Dominion Government's invitation? It would really

be pretty sassy of us to say to the Ontario Government: "You should go up to the Dominion Government and make them spend money in Hull" if the Government of the Province of Quebec does not want to play.

MR. PERRY: This all started from John Meisel's comment that Ottawa never will be much of a national capital as long as Hull is in its present condition. Even a two-year old child, with respect to John, I am afraid, would have to agree with this. I felt there are just enough complications in this, however, without Hull, that it ^{be} ~~can~~/treated as a sort of extra item to be considered.

PROF. MEISEL: I think this is where I disagree with you. I think you cannot. If you think of the problem as a feature of Confederation (and after all we are to advise the Ontario Government on problems relating to Confederation) it seems to me some kind of national symbol and a community up there in which French and English speaking people can live satisfactory lives, is very relevant to us; and that while for analytical purposes we might well divide the thing up and look at Ottawa and Hull, in the end we are faced with this physical reality that there is a metropolitan area which comprises both Hull and Ottawa which we cannot carve up this way.

I go along with almost everything that

you say here, but I simply say we have got to go a step further and put the whole parcel together at some stage.

MR. PERRY: I think you are going beyond what this Committee can adequately do, because you are anticipating some sort of arrangement and I am not anticipating any arrangement at all. I am just trying to see what the objectives should be. If you want to write Hull into objective number one, fine.

PROF. CREIGHTON: Surely if you write Hull into objective number one, you are doing the equivalent of what is dismissed as the first of the implications of the goals or aims: you do create a district which is separate.

MR. PERRY: You are creating very strong pressures for a district.

MR. MAGONE: Harvey, I wonder if you know what caused the Prime Minister of Canada to make this proposal? Would you think that the B.B. Commission or some of them have gone to the P.M. and said: "We haven't any proposal to make but this one"? It seemed to me the Prime Minister would not move on this unless he had someone prodding him, and probably the members of the B and B Commission.

MR. PERRY: It is not new; in fact it is in the Rowat study. Rowat suggested that

there be a five member inquiry involving the municipalities on each side. No, I don't know where it started. It just seemed like a sensible idea to me.

DEAN LEDERMAN: Mr. Chairman, I am one of those who started out a month ago when we first considered this, being attracted for a time by the merits of the separate National Capital District, because in ideal terms it might perhaps do a great deal for the Confederation; but the more I thought about it, the more I came to realize, particularly after listening to the Quebec people, that a unified National Capital District as a separate district just was not going to happen. We might as well turn to things that are within the realm of the politically practical.

I think the basic approach that has been suggested here, the necessary movement towards regional government on both sides of the river - not one region, but a metropolitan area government for Ottawa (meaning the Ontario side) and metropolitan government for Hull (meaning the Quebec side) with some sort of co-operation in which the Federal Government participates, that this is the way to start out, to walk, start along this road; and no one can give you a blueprint right now as to how far you are going to go or where it will lead, but it is the right

direction in which to move and this is practical, I think.

So on these grounds I would go along with this. You finesse all the terrific problems about what systems of law are going to obtain on both sides of the river and so on; you leave all those things alone.

Mr. Robarts' proposal about education, I suppose, will do more for the Ottawa area than anything else, than any other single measure that could be taken in the way of making it more of a national capital, a place where French-speaking civil servants can take their children with the assurance they will get the type of education they would at home. I should think this has taken the heat off the question to some extent, but I think as a matter of process and procedure one can start along these roads, as Harvey has indicated, and then proceed step by step and see how far it goes. A better national capital area is going to come out of it - and I use the word "area" as a neutral word. This sort of thing can be accomplished. I would be in favour of approving this as a processing procedure, as a start along the road. If a meeting at Quebec, Federal and Ontario governmental level, will help the process, halleluiah.

THE CHAIRMAN: I wonder if this would be helpful, to put it in the context of the present

inter-governmental arrangements? As I mentioned, a proposal has been made from the Government of Canada to the two provincial governments, that there be either a top level discussion on this question, or the appointment of a working group to bring forward recommendations.

I have mentioned that any detailed response will not be forthcoming from here until after the election. However, at that time the Government will have to express some attitude, and I think, as an Advisory Committee, we might help the Government to do so in this manner.

I would think there are four alternatives. We might either say that we support the principle of the National Capital area and stand on that; secondly, we could say we do not support the principle and stand on that. Thirdly, we could say: "We advise the Government with some enthusiasm to enter into these tripartite discussions"; or we could, fourthly, advise the Government that we would be opposed to it entering into tripartite discussions.

I think, in other words, one of these courses would presumably reflect the prevailing mood and feelings of this Committee, according to the discussions we have had. If it were to move in the direction of agreeing not to enter into discussions, we could bring to bear whatever studies or work or further opinions we have to

6. muster.

DR. FORSEY: I think your first suggestion is the right one, that the Government should enter into these tripartite discussions. I do not see there is anything very much further can be done by this Government until we find out what the issue of these things is, if it turns out then there is some kind of agreement on something being done about the whole area. If it turns out there is not, then the Government will have to decide what it is going to do about the Ottawa side of the thing, with or without the assistance of the Government of Canada.

I do not see we can get very much further on this at the moment, until we find out whether there has been any kind of response from the Government of Quebec and, if so, what it is, and whether there is any possibility of tripartite discussions. If it turns out there is no response, or a negative response, it is clearly no use advising the government to do something that is not to be gone into anyway. Then we have to get at the business of what we can do on the Ontario side, or advising the Government what it can do in this respect.

THE CHAIRMAN: I understand Mr. Johnson has said that he would welcome and would participate in these discussions from his end. It is Ontario that has not made any

commitment, as I say, for good reasons.

PROF. BRADY: Well, Ian, in addition to entering into discussions, would you specify that Ontario enter into discussions bearing in mind those three objectives which Harvey has outlined on page 7 at the top part of the page?

MR. PERRY: If the Committee endorses these, they can be given as sort of terms of reference for the Ontario representative.

THE CHAIRMAN: That is right.

DR. FORSEY: This would rule out automatically, as the Perry report indicates, any indication of a Federal District as such.

THE CHAIRMAN: This is the only thing that concerned me. Would this unduly inhibit the range of inquiry?

DR. FORSEY: I think it would.

MR. PERRY: It could, oh, yes.

PROF. MEISEL: I don't know why, if we adopted these three points and said: "We advise the Government to go ahead and enter into these discussions (which, of course obviously we will do in any event) why we would stop the Government from picking up the direction of the discussion, whichever way it goes. If it goes towards the National Capital District, the Government could discuss with Ottawa and the Government of Quebec, and then they all come back and say: " What do you think about it?".

DEAN LEDERMAN: How would it be if we said that we approve entering into these discussions with these three points as minimum objectives?

PROF. MEISEL: Yes, I would go with that.

DEAN LEDERMAN: Call them "minimum objectives" and that clears the way for going as far as we are concerned - it indicates this is only minimum needs.

DR. FORSEY: I think if you put down 2 even as a minimum objective, (the other terms for "minimum" is "not negotiable") I think then you are saying that any arrangement arrived at would have to respect the responsibility of the Government of Ontario for municipal and educational institutions in Ontario and to advance its plans for metropolitan development and education in Ottawa in step with its general plans throughout the province -- unless, of course, you say "the law for Ottawa shall cease to be the law of Ontario" and then the responsibility goes down the drain.

I confess this language to me, even if you put it as "minimum" you say that this is something which cannot be negotiated.

MR. PERRY: These are pretty binding objectives, particularly No. 3.

THE CHAIRMAN: No. 3 worries me.

PROF. MEISEL: It is the word "existing" that I would like removed, because this would permit you to find some other arrangement.

MR. PERRY: The only point there - in fact this is a lesson on Federal Districts - they would have had to come to recognize a local political life, as they are doing now in Washington. I suggest you recognize that from the beginning, rather than coming around to it after a long painful process.

PROF. MEISEL: But when you mean "existing" ---

MR. PERRY: No, you can easily take out "existing".

DEAN LEDERMAN: ". . . at the same time leaving with appropriate local authorities . . .".

MR. PERRY: Yes, of course, the local politicians would insist that the "existing" be there.

PROF. MEISEL: Sure.

PROF. CREIGHTON: That they were the appropriate authorities.

DR. FORSEY: That is open to discussion.

DEAN LEDERMAN: That gets it out of this council chamber and into theirs.

DEAN DILLON: I am rather concerned here that we have called these three points on page 7 "objectives". I think more properly these are conditions which would have to be

maintained, in our opinion, in any ultimate solution. As objectives they are pretty wishy-washy as far as I am concerned.

Surely our objectives here, or a possible objective, is that these tripartite discussions should be aimed at establishing a national capital which is a more effective symbol of national unity - and let it go at that.

Obviously this has been a point raised fairly early in the game, and we have been concerned about it, and I suggest our concern is that the capital has not been the kind of symbol that we want; but I think if we state these as objectives, I do not think we are helping anybody with anything that is very effective.

MR. STEVENSON: If one wants objectives that are a little different from, say, conditions, there are, of course, the three objectives which Professor Rowat put in his report as the objectives of any system, no matter whether it be through a federal territory or through arrangements which could be worked out by the provinces themselves.

DR. FORSEY: I can't help thinking, if the Ontario Government is going into these tripartite discussions, it should not go in with a mind very firmly closed, shall I say; it should be able to consider the various proposals which

are advanced, and use its judgment on them.

I should think that all the things that are present to our minds as possible limiting conditions, will certainly be present in the minds of the Government of Ontario.

I mean, the first part is the business of the Dominion Government, but when it comes to the responsibility for municipal and educational institutions and so forth, the Government of Ontario will certainly be as fully alive to this as we are; and if it decides that some proposal which is advanced meets its general views, then even if this would involve some limitation of its own powers in the Ottawa area, it might say: "It is worth doing".

I do not know that we would be well advised to lay down very stringent conditions which the Government would pay little or no attention to unless it sees fit anyway. I think the matter is at a stage where the whole thing should be explored in the discussions, and out of that will emerge something for which the Government will have to take responsibility.

It is not as if the Government were sort of condemned to go in there without the remotest notion of anything in there. They have the Rowat report in front of them; they have got their own Department of Municipal Affairs. They are not going to say: "A fig for all local

institutions. We don't care a hoot about the educational system of Ontario. As for the municipal government of the area, what difference does it make to us? What about the effect on the rest of the province? A fig for that too".

MR. PERRY: You are suggesting this memorandum is too long, are you? I think it might be too short.

DR. FORSEY: No, I think it is a very useful memorandum.

MR. PERRY: Sounds as if I could have stopped at page 6.

DR. FORSEY: It doesn't follow we should recommend the Government to lay down 1, 2, 3 as minima .

THE CHAIRMAN: You are sure it is a fig and not a fig leaf?

PROF. FOX: I admire Harvey's report, and it is no reflection, but I am inclined to agree with Dr. Forsey that there should be wide enough scope for the Government to examine all the possible outcomes that could be pursued, and for that reason there is not much point in suggesting that they be minimal conditions.

MR. PERRY: There was some intent in introducing the last comment as an apologetic note. I wrote this first part in ignorance of the fact that this proposal had been made. I do regret a little bit now that all we are

saying is: "yes, let us agree with this proposal that another level of government has made". It is not really showing much imagination in this matter which we have been brooding over for a year and a half.

DR. FORSEY: I don't think we are agreeing with anything. We are simply suggesting that the Government of Ontario should go into discussion "with a doctor's mandate" as they used to say thirty years ago in the United Kingdom.

I do not think there is any reason to suppose that on this, whatever may be true on other matters, the Province of Ontario is going to be woolly or wishy-washy. Its own interests are too directly involved, as you are saying, to pronounce on some stratospheric proposition about two-nations. Though it may be as woolly as the dickens and needs all kinds of guidance on this, I think it is likely to be, if anything, over-cautious, rather than over-rushed.

MR. PERRY: We have been presuming to advise them on other fairly important matters. However, what are we fighting about here? It is generally agreed that this three-way inquiry is the best approach. I have fairly strong views which are generally represented, after quite a bit of thought, in those three propositions, but not expressed with the tightness of a

technical specification, though they are fairly tight. If people don't want to accept them, I think this is quite a workable position. We simply recommend that the Government join in full and open mind with two other levels of government in an inquiry of the position of the capital area.

DR. FORSEY: I suspect what will come out of the discussions will be relatively little. Then the Government of Ontario may well be thrown back on Mr. Perry's three propositions.

PROF. BRADY: Mr. Chairman, I like Mr. Perry's three propositions. I think it is worth stating them. I would include them.

PROF. FOX: Mr. Chairman, on a point of information, I wonder if all the members of the Committee are aware of something that I was not aware of until I read it in the newspaper on 15th August: that the Quebec Legislature recently adopted a resolution that called for the appointment of a capital commission within Quebec, to examine the possibility of establishing a capital region on the Quebec side that might then work in conjunction with a capital region on the other side? I was not aware of this, and I wonder if the other members were. The resolution has been adopted in the Quebec Legislature apparently.

MR. PERRY: I am sorry our friend from Ottawa is not here today, because he has been keeping very closely informed on what has been going on in Quebec. There has even been, some time late in August or early September, a public hearing on this subject in Hull.

PROF. FOX: Yes.

MR. PERRY: And he undertook to explain today what that was all about, so I did not go into it very fully.

PROF. FOX: That is included in this quotation, and I think it might be worth mentioning what that was, because this particular news item refers to a delegation of downtown Hull merchants who made a submission to this body and expressed - I quote:

"The exasperated population would
"perhaps prefer the cake to the crumbs...
"therefore they would rather side with
"the notion of a national capital
"district commission than to go on
"with present arrangements within Hull
"as conducted by the Quebec provincial
"government."

So that indicates there is some element of the population of Hull that is more favourably inclined towards the national capital arrangement than there was previously.

MR. PERRY: This is what I cannot

understand. Their great hope is to get the Federal Government - they will never get their provincial government to do this.

PROF. FOX: There is also another amusing report in August 10th from the Ottawa City Council on the subject of a National Capital District, and one paragraph of their brief said:

"City Hall asserts that Ottawa
"is on the edge of greatness and
"will surpass Montreal and Toronto
"in glamour within fifty years."

MR. PERRY: Won't be hard to pass
Toronto.

THE CHAIRMAN: I suppose a careful definition of the word "glamour" might keep them on the side of truth, I don't know.

PROF. SYMONS: Mr. Chairman, I was interested in the newspaper reference, and at my request Mr. Greathed wrote to ask if we could have a copy of the brief, and the City Clerk replied that there was no brief. I made further enquiries, and clearly there was a brief and they decided to suppress it.

PROF. FOX: Was this a Hull brief or Ottawa brief?

PROF. SYMONS: This was the Ottawa brief.

DR. FORSEY: Sounds like the Conservative

politicians of 1956.

MR. PERRY: This inquiry apparently went on for a whole week in Hull, with many briefs and a good deal of discussion.

MR. POSEN: We have the City of Hull brief, and it came very much like the brief that was prepared by the Economic Council of Western Quebec, also calling for a committee on the Quebec side that would work in co-operation with the Committee on the Ontario side and the Federal Government in a tripartite arrangement of working out any problems of the capital.

MR. PERRY: I know what Roger would be saying if he were here; he would say: "Forget about Hull". Generally this is his attitude. I had better leave him to say that himself.

THE CHAIRMAN: I wonder if we can bring this to a conclusion? We seem to be torn between pride and flexibility: pride against putting in simple support for the Federal Government; flexibility in terms of not having these objectives in.

DR. FORSEY: Could we make the best of both worlds by saying that we advise the Government to go into these discussions with an open mind, or something of that sort, and if the discussions are not productive then we think these are the guide lines that the Government

should follow?

THE CHAIRMAN: I think we could do something in that matter, Eugene, that one could embellish it a bit, that as the result of our lengthy inquiries into this subject, we have every confidence that these discussions should take place and follow up, as you say, with these possible qualifications.

PROF. CREIGHTON: Surely Mr. Perry's general aims and objectives are valid, except in the very unlikely contingency of the creation of a completely new federal district as a separate entity? If this is impossible - and I cannot see how, in view of the attitude of Quebec, it is possible - then it must be a tripartite arrangement, and therefore these general propositions are valid for the guidance of Ontario in entering into those discussions.

THE CHAIRMAN: I wonder if one might follow the procedure of other bodies at this juncture and get someone to draft the resolution for us while we go on to other things? I think there is some accommodation can be reached here. Have you been following this closely enough, Ed, to take a crack at that?

MR. GREATHED: I will take a crack at it.

THE CHAIRMAN: Is that agreeable? Then we can address ourselves to it. Let us

then go on to other things. I think we might just have a short break.

DR. FORSEY: Perhaps the draftsman should get hold of an Anglican Prayer Book and consult the 39 Articles to make sure he can produce something sufficiently comprehensive.

--- Short recess.

THE CHAIRMAN: Let us go on to the next item, which is the reports of the agenda for the Confederation of Tomorrow Conference. I might ask the three chairmen to speak to this. Harvey, would you like to begin for the economic and fiscal?

MR. PERRY: We started out being not very sure, Mr. Chairman, as to whether this Conference was to have any economic or fiscal content at all, and very readily came to the conclusion that it would be a pretty empty Conference if it did not.

MR. MAGONE: We came to the same conclusion.

MR. PERRY: So having made that rather obvious decision, we then went on to consider what were the best economic goals for Canadian federalism.

This is almost as obscure a subject as some other aspects of federalism. My own assessment was that our sort of general goal is

to get as much money out of the Americans and as little culture as we can. (Laughter) Now, this is our sort of long-range objective.

Sir John MacDonald would subscribe to that.

PROF. SYMONS: Oh, yes.

MR. PERRY: But when you reduce it to particulars, somehow or other you have to get from this kind of consideration to particulars of the present scene and that is where the rub comes. There are all kinds of inter-governmental practical issues in the economic realm. We have heard of them from Quebec - the control over the device for distributing income, manpower policy, quite a few other things - monetary policy.

We did agree that we had to get away from the sharing of the tax system, because this is pretty old stuff and very inflammatory.

So, I am not being very coherent on this, but I am afraid we got about as far as deciding that some economic issues had to be dealt with; that we just could not get the general framework in perspective here, but if it were simply a matter of setting out a list of fairly hard points, that this probably could be done.

So number two, the way in which the present federal system could be improved: I am afraid we came up with a rather vague generalization that what was required was more effective

communication and co-operation between levels of government.

The role of English and French did not seem to have much economic implication. We talked probably most about No. 4, since it had been hinted to us that this might be an area that our sub-committee could talk over particularly.

This is the machinery and structure of inter-provincial relations, and we broke it down into two general areas: one, the sort of fact-finding exercise, research background (whatever you want to call it) bringing into effect the resources of all governments to give the most balanced factual presentation of a problem. We decided there ~~were~~ certainly deficiencies today, and that these could be worked on and removed.

The other area is the area of decision, the arena in which you bring together all the political heads and try and reconcile a dozen or so different political points of view and aspirations and presentation and all the rest of it. We could not see what could be done to improve that, unless our politicians could be instilled with some sort of different concept of Confederation or different kind of motivation, or what you will. If they met any of the qualifications that we thought would help them agree with one another, they would probably all cease to be politicians and become almost non-

entities.

So in our view the problem breaks down into those two areas - the sort of communication of data, exchange of factual material where an improvement can be made; the other, this conferring process at the political level, where we just throw up our hands.

PROF. McIVOR: And where the major problem lies.

MR. PERRY: Where we think the major problem lies, yes. I guess that is my report, Mr. Chairman.

THE CHAIRMAN: Are there any comments which you care to add, Craig?

PROF. McIVOR: No, I don't think so.

THE CHAIRMAN: Professor Brady, perhaps you would report for your group, if you would.

PROF. BRADY: Well, I have a few comments to make reflecting the discussion of the sub-committee. I do not think any of us felt that we had anything very fertile to suggest about the agenda. We thought that in the case of these subjects there should be some attempt made at a breakdown, but we realized that when you did begin to resolve these topics, such as the goals for Canadian federalism, you confronted certain problems.

We felt, for example, that it was

desirable, if possible, to avoid a too serious confrontation of divergent views of Premiers at the outset. Consequently, in any breakdown of the topic of goals for Canadian federalism, the description of the goals should try to find some pathway between what might be too general and what might be too specific. We thought that if the Premiers could be persuaded, as it were, to cover in their discussion the goals for Confederation, it might be useful.

MR. STEVENSON: In their opening statements.

PROF. BRADY: In their opening statement, yes. If we agreed to that, I do not think it is necessary to break down the topic into subdivisions.

As I mentioned, the reason we did not think it was very easy to break it down, was a danger of triggering discussion, let us say, on separate status and associated statehood, at the beginning of the Conference, which would probably be unfortunate. These topics may come up later, they will probably come up later, but it is better for them to come up later. In other words, the Conference should start off on as genial a basis as possible.

There are topics that might be mentioned, of course, as coming under goals, at least the goals of the federation today - such, for example,

as an endeavour to get the division of authorities across the country that might conform more closely with regional interests, such as consolidation of some of the provinces and so on, but that theme again presents some difficulty. If one stated that as part of the breakdown of the first problem, you no doubt would stir up strong feelings amongst certain Premiers.

So altogether we thought, Mr. Chairman, that this opening item is a difficult one; that the easiest way might be to get the Premiers to cover the topic in their opening speeches.

PROF. CREIGHTON: To do what?

PROF. BRADY: In their opening speeches.

DR. FORSEY: To do what in their opening speeches?

PROF. BRADY: To cover this topic of goals.

DR. FORSEY: In other words, waffle generally and never get down to discussing facts.

PROF. BRADY: It might be. You are leaving it up to the Premiers.

DR. FORSEY: It might be like the sermon I once heard from a late Bishop of Ottawa one night: "Let us all try to be good and help our neighbours".

PROF. BRADY: Are there any comments other members of the Committee would like to throw in here, because I am trying to summarize

a discussion that wandered around a good deal over an hour or so, and I may not be representing it fairly. If I am not, I hope some one of my colleagues will correct me.

DEAN LEDERMAN: Your problem is not unique.

MR. PERRY: Do you have any ideas as to what Premier Robarts could do in his opening statement as to goals?

PROF. BRADY: Actually we didn't discuss that. It is very important. Personally, if I may ---

PROF. CREIGHTON: It would seem to me the first thing they ought to do.

PROF. BRADY: This is a statement in brackets. I think actually the agenda is very important, and probably none of us in this Committee has had a chance to think about it carefully. I think it needs a great deal of careful thought, and I suspect that what we are suggesting today might need going over and re-considering and so on. I cannot think of anything more important than the agenda as a jumping-off point.

Incidentally, we did touch upon a matter that is not on the agenda but which is very relevant to the agenda, and that is the unfortunate fact that in the Conference at the end of November there will be new Premiers.

THE CHAIRMAN: How many?

PROF. BRADY: Well, we don't know that.

PROF. MEISEL: Four.

PROF. BRADY: Conceivably. Mr. Stanfield will certainly not be there, and possibly the Premier of Manitoba. Then there are ---

PROF. McIVOR: Saskatchewan.

PROF. BRADY: There are elections. We cannot do anything about it, I fancy, but it is going to present a bit of a problem.

9 PROF. CREIGHTON: Between those who won't have anything to say and those who don't want to say anything, we will not get much said on the opening round.

PROF. BRADY: It is very seldom that you get politicians together who do not talk or say something.

PROF. CREIGHTON: They will say something all right.

PROF. BRADY: Whether what they say will make a good conference is the question. I assume our effort is directed to providing an agenda that will give them a good lead, and it is not a simple task.

It was mentioned to us (Mr. Stevenson, probably from his inter-provincial grapevine) the remark that Premier Johnson does not want to have

to come to the meeting with a hard and fast stand, and that he is interested in the idea of a number of meetings; in other words, that this Conference would be merely one of a number.

Now, the topic of goals would presumably take up all the Monday, and Tuesday the meeting would be spent on the second question, the second item in the agenda: "The way in which the present federal system must be improved". We thought that ought to be revised a little - "Ways in which the present federal system could be improved in order to achieve the goals of federation". Number two should be linked as it were, in some fashion, more closely with number one.

The third topic - the role of the English and the French language in Canada - the Committee dealt with very briefly. It was felt here again that the Premier would probably wish to state the situation in his province, what problems were involved, and the subject matter of the item in the agenda could be left in part to the Premiers.

With regard to the final topic on the agenda, the question of machinery, there the topic could be broken down into a number of sub-headings: the question of federal-provincial relations in general; inter-provincial relations; regional relationships, that is, the relationships of

provinces within regions; and the possible place of machinery to facilitate discussions.

The question of whether there should be a federal-provincial secretariat, should a department of inter-government affairs be set up in all the provinces as in Quebec? We thought possibly that the question of the federal capital district really might be brought in here, which does not come in too obviously in any of the other topics, and yet is one matter that might be usefully discussed at this Conference.

It would be interesting to get the impressions, let us say, of Premiers other than those of Ontario and Quebec on the question of the capital. They may not be much interested in the matter; the result might be quite negative, but at any rate it would be useful to give them the opportunity of expressing views. I think those are the principal points.

THE CHAIRMAN: Thank you very much.

MR. STEVENSON: There is one point that did come up, although I guess it didn't cut into our specific suggestions, and that was perhaps that the first day in the afternoon the Conference might get down to the question of planning of subsequent conferences.

PROF. BRADY: Oh, yes.

MR. STEVENSON: Or what relationship there should be between an opening conference and

DEAN LEDERMAN: Yes, and I think having had Mr. Roberts' objectives explained to them and having the testaments of good faith from him that they have had, they are quite willingly and cheerfully sending observers, at least they are going this way, at this Conference, but I wouldn't want to see this ground lost.

THE CHAIRMAN: Quite. You don't want this to be interpreted as a provocative gesture in a way.

DEAN LEDERMAN: So I think that one could deal with what topics need further exploring on conferences of some kind, and not touch the question of who runs the conferences. It would have to be a behind-the-scenes thing afterwards, I think, to really settle the question of the later auspices.

THE CHAIRMAN: Would you like to go on to your report, Bill?

DEAN LEDERMAN: I think firstly we had a discussion on the role and the future of the Advisory Committee itself. Then we talked about the research plans; then we talked about the agenda for the Confederation of Tomorrow Conference. I will just speak of the last one at this point.

Discussing the goals for Canadian federalism, as the previous sub-committee chairmen have indicated, this is not an easy thing to get

hold of, but we thought (this almost sounds platitudinous, perhaps) this has to be approached with a positive attitude; it should not take the form of rebutting a Quebec position, but we should try to set forward constructive alternatives where we can.

Now, our disposition, I think I am interpreting the discussion correctly when I say that our disposition was to have the goals of Canadian federalism stated in terms of strong viable federalism. We think the interest of Ontario in the existence and continuance and development of a strong viable federal country is greater than that of any other province. So there is a link between Ontario and goals in general.

We thought also that you might speak in terms of Canada's position in the world, the example we can afford to the world. There are states all over Asia and Africa being threatened with break-up, because of over-insistence on cultural identity; and here in this country, if we can't hold together and set aside over-insistence on cultural identity, well, the world is really in a bad way, not only in our own country.

So as far as the goals of Canadian federalism are concerned, when we speak in these terms you are, for instance, implying that the

maintenance of one international personality for this country is a most important thing. I suppose what I am doing is giving you the flavour of our discussion, rather than anything very specific, but we felt that we ought to be dealing in terms of a strong federal power and suggesting what the reasons for this are.

Speaking of goals, you can speak of the kind of life you want for Canadian citizens, the quality of our civilization, the welfare of our people, and that will lead you on to implications about education and economic organizations and financial organization and all the rest of it.

My impression is that in our discussion, so far as general goals are concerned, we did not get very much further than that.

Now, we did, in discussing the topics to which this Committee ought to address itself, specific problems for future research and discussion, we did fix on the Bill of Rights particularly as proposed by Mr. Trudeau, on the question of the Senate, and on the question of the Supreme Court, as important things that were going to confront us soon, and I have no doubt these things are all going to be mentioned in connection with the Confederation of Tomorrow Conference. I think they are bound to come up. The two-nations theory, I suppose, is

bound to be mentioned.

There are two ways of approaching these topics as far as the Committee is concerned, and it was in relation to this that we got into the discussion of the proper role of the Committee. You can commission great research projects on these topics by committee members or others, and to some extent this has already been done; but on the other hand, also, we did feel that various members of the sub-committee, either singly or in combination, could prepare relatively brief position papers on Bill of Rights, Senate, two-nations and Supreme Court, and prepare them before November, I think, was our thought.

DR. FORSEY: I think we hoped we would have them for the next meeting of this Committee, so that they would be available for the consideration of the Committee when it was tendering advice to the Premier for the Conference.

DEAN LEDERMAN: Prepare them pretty promptly, so that in that sense we did deal with machinery or structure of the constitution.

PROF. MEISEL: Excuse me. Would these be position papers for the Ontario Government or for all the Premiers?

DEAN LEDERMAN: We would think of them as papers that set forth in the first place, our positions, and then what the Premier of

Ontario does with them is another matter.

It would depend whether he agreed with them or not.

To be specific, I prepared a brief paper on the Bill of Rights on the footing of Mr. Pearson's original statement about the Bill of Rights proposal, which was simply to the effect that the Diefenbaker Bill of Rights would be repeated in the statute books of each of the provinces. Mr. Pearson subsequently expanded that in later statements to include not only the language rights but economic and social rights. Mr. Trudeau in his last address has pulled back to the language rights and carefully avoided the economic and social rights. So I think the thing now needs a position paper done on it with reference to Mr. Trudeau's proposal, which was quite specific and quite sophisticated. I could take a hand at that.

The ways in which the present federal system could be improved: something is bound to come up about the Senate, I think, and Dr. Creighton and Dr. Forsey would be willing to collaborate on a brief position paper there. When I say this, I mean they would set forth their position for what further help this would be to the Government of Ontario and beyond if the Government of Ontario wanted to use it a

little wider.

Drs. Creighton and Forsey are willing also to do the same thing with the two-nations theory - prepare the same kind of document on the two-nations theory.

The Supreme Court thing has come alive again. The judges cannot defend themselves. Some of the things that are being said about the Supreme Court now verge on the defamatory, and there just have to be some answers made. I would be willing to prepare a paper on that.

The three things we were supposed to discuss got all mixed up, and my report is correspondingly all mixed up.

THE CHAIRMAN: Not at all.

DEAN LEDERMAN: But there it is.

THE CHAIRMAN: There is a great deal of meat in all of these reports, and really the problem is not a dearth of issues but to crystallize the priorities and the essentials.

DR. FORSEY: May I just add one thing to what our Chairman said, that I think we gave a certain amount of time to discussion of No. 3, on the role of the English and French language in Canada.

DEAN LEDERMAN: Yes, I am sorry. That is right.

DR. FORSEY: And I at least set forth the view as strongly as I could, that the thing

to be careful of here was not to overbalance; to look very carefully at the practicability of any proposal that would be advanced on this subject, so that you do not stand to do things which it would be completely impossible to perform.

DEAN LEDERMAN: I think we more or less agreed - at least I expressed the opinion (I shouldn't say we all agreed); I thought Mr. Roberts had given an example of the type of prudence that is needed, in his speech of August 24th in which he announced his secondary school plans. This is the sort of caution that has to be used all through these things, I think.

I am not sure I have given a full representation of our morning's discussion, whether Mr. Magone or Dr. Creighton wish to add to it, or Dr. Forsey - I wish they would.

MR. MAGONE: I think you have covered things as I remember the discussion and from the notes I have here. I don't know whether you said anything about the Senate.

DEAN LEDERMAN: Just that we thought we are going to be confronted with it and we had better be ready to say something about it.

MR. MAGONE: No, that is all. I haven't anything to add.

PROF. CREIGHTON: The only point I would like to add is that from what Alec Brady has said I gather the impression that he thought it would be desirable, if possible, to avoid what he referred to as a "confrontation", and therefore the opening meeting on goals ought to be kept to the Prime Ministers (who, I think, will probably be the spokesmen in most cases anyway) and that it should be as general as possible. Because (you can correct me later if necessary) I think in our committee we assumed the likelihood of Quebec coming, if not with a prepared position on which they are determined to stand, at least with some very definite ideas about what the goals were; and that we assumed that it would be a re-statement of something very closely approaching the general Johnson-Union Nationale position, and it would be very lax and remiss of the Province of Ontario if it did not consider this and prepare itself to meet that position in one way or another.

I suggested, as a matter of fact, that you could, from the point of view of the Province of Ontario, debate either one of possibly three different strategies. You could come to the opening meeting on the assumption, which Alec Brady suggests, that it would be couched in very general and non-controversial terms and, well, in fact, nothing very substantial whatever

in it except good will to all concerned; or, secondly, you might go with the assumption or the expectation that the Province of Quebec would give some version of its general stand, and if that was the case you just simply couldn't set this aside with a few empty phrases but that you would have to do one of two things. You would either have to meet it and turn it aside, as I suggested, with a kind of holding operation, keeping as much of the constitution as you thought possible and making concessions here or there as you thought necessary.

Thirdly, you might work out in advance exactly what the Province of Ontario did want the constitution to be and make a forthright statement of what that was. In line with what Bill has already reported, our committee came to the conclusion that we ought to stand by a strong central government for this country and for a variety of reasons.

Again, I don't know whether this was because I urged this as the situation, but I am repeating it now. It seemed to me that if there was an attempt to put up an opposing or contrary position to that which I think is almost certainly going to be advanced by Quebec, it ought to at the beginning reject the idea that the primary and determining factor in Canadian

federalism is and should be ethnic and cultural values; and if you have a federalism based, if not exclusively, almost largely upon that consideration, that is not the kind of federation the Province of Ontario wants. From my point of view it certainly is not, and what I should hope is that the Province of Ontario would try to assemble these views and adopt a frank, positive position.

DR. FORSEY: I think I can say I concurred entirely with that. If I didn't give that impression at the time, I desire to give that impression now.

DEAN LEDERMAN: The point in a way is this. Without full-fledged federal representatives present, the federal case would go by default, unless the province with the greatest interest in it, in a strong central government, sees that it does not go by default.

PROF. BRADY: It seems to me, Mr. Chairman, that we are getting - and perhaps this is inevitable - the agenda mixed up with what Ontario's position should be. We did not in our committee start out from a view that we should clarify a position for Ontario.

PROF. CREIGHTON: But what government are we advising? We are advising the Government of Ontario.

PROF. BRADY: We are advising the

Government of Ontario on the framing of an agenda that will facilitate discussion on the federal problems; and I can see that doing that is a little different from framing the basis of Ontario's position. We could very well have discussed that, I think, and it is important. Mind you, I agreed it is important that Ontario should have a position, but it seems to me the two things are different.

11 DR. FORSEY: I think the two committees took a different view what it was they were discussing.

PROF. CREIGHTON: I am not so sure they are so different as all that. What are you going to put there? It says "goals". What are the goals?

DR. FORSEY: Presumably the cultural sub-committee was considering whether this was a suitable sort of agenda.

PROF. BRADY: Yes.

DR. FORSEY: And how much time should be given to each thing. I think we rather took the view that this was more or less the agenda that had been pretty well decided upon, what should we talk about, but it struck me when you were making your report that your view was quite different. You were considering the mechanics rather than the content of the thing; and that we had been talking to some extent on utterly different points.

PROF. BRADY: Well, we were discussing the structure of the agenda and the purpose that it was designed to serve. Is that your impression, Tom?

PROF. SYMONS: It is.

PROF. CREIGHTON: But can you be more specific? What is the structure of the agenda in these terms? You have told us four separate points. If that is all it is, we can go home.

PROF. BRADY: I think we can describe these points, however, in different language.

PROF. CREIGHTON: I think you have got to describe them in more detail, and that means raising specific issues or it means nothing.

PROF. BRADY: I think I must appeal to the Chairman here. What was the purpose of this agenda? In other words, what were we asked to do?

THE CHAIRMAN: I think there are elements of both here, although essentially I think we were asking you to take the four broad categories that it had been decided that the agenda should follow and to put flesh and blood on the skeleton, so to speak.

DEAN LEDERMAN: Give it specifics.

PROF. CREIGHTON: Get down to specifics.

DEAN LEDERMAN: This is the only way we can see to do it, to pay some attention to the things that might be brought up under each

of these headings.

THE CHAIRMAN: I think there is a difference between that and going the next step forward. There will have to be an Ontario position prepared for the Conference on the points of the agenda, certainly, but that is a separate item from the filling-out of the agenda.

As I understand it, Professor Brady's group is talking about the filling-out of the agenda, and you were doing that also but going on to anticipate the stance that Ontario should take.

PROF. CREIGHTON: Surely there is a distinction without a difference there. You cannot talk about specific points without in some way bringing up the subjects of controversy.

DEAN LEDERMAN: With respect to those who differ with me, I think I agree with Dr. Forsey and Dr. Creighton that when you have finished framing questions you are half way to the answers in terms of the possible answers, possible issues to frame the question or to list items.

PROF. BRADY: Yes, and when you frame questions you are inviting answers, but you are not determining surely the answers.

PROF. CREIGHTON: Could we then have a list of the questions that you would like to

put under category 1?

PROF. BRADY: Well, I wouldn't like to say what the items should be any more fully than I expressed, I think, in my comments.

PROF. CREIGHTON: I am afraid I did not hear any specific items, that is all.

DR. FORSEY: I heard one - the possibility of consolidating some of the provinces.

PROF. CREIGHTON: That was for No. 4.

DR. FORSEY: Sorry, yes.

DEAN LEDERMAN: I think when you do one you are bound to get into the other, and we perhaps got a little further into the other operation than others did.

THE CHAIRMAN:

/ There is a question over-riding here that has been worrying me for some time, and that is there are two ways you could approach the conference in terms of the character and its outcome. One is to say one does not want this Conference to become, on the one hand, purely a platform for Quebec, and on the other hand a violent reaction from other people so that the whole thing, the country more or less breaks apart on the platform of the Confederation for Tomorrow Conference. On the other hand, it is difficult to really ask whether you can talk about current problems of Canadian federalism without a very prominent place being given to, and indeed the focus being, the Quebec problem.

DEAN DILLON: This is the thing that has disturbed me, Mr. Chairman, in listening right from the very beginning when we were meeting after lunch. I recall the first meeting of this Committee when someone said we were here to save, to preserve Canada, and I agreed with that.

It is quite obvious to me now (it was not then) that the only way this is going to be done is by facing up squarely to the issues; that we are going to have to fight for what we think is right; and I think it would be disastrous if we do not advise the Government of Ontario to take the issues as we now see them and be prepared to defend these. We are not going to get anywhere by hiding these things now. If after two years we haven't got this thing straightened out in English so that we can debate these issues, we are going to lose.

Maybe there is a risk of having the country fly apart at this Conference, but if it does then perhaps it does not deserve to survive.

THE CHAIRMAN: Let us not pretend these issues are not there; let us put them out and let us see ---

DEAN DILLON: I think we have skirted around this thing about the national capital in a, to me, most discouraging way. I think we think we want some kind of national capital, and

we left that item on the agenda, I thought, without giving any real advice at all, and I think now is the time.

I still have the same respect for the French Canadian that I had to start with, and I am just as determined that we in English Canada should make a go of it; but we have gone far enough now without facing up, and we have to have a position which is put forward vigorously, and I think if we do this the French Canadians will sit down and talk to us.

DR. FORSEY: Yes. They talk a great deal about a dialogue and that is fine, but it seems to me one cannot help feeling, as I thought when I read some reports of the Montmorency conference, what they really wanted was a monologue.

DEAN LEDERMAN: Mr. Ryan in *Le Devoir*, if I read parts of it correctly, at one point anyway told his readers (primarily French Canadian) he explained to them that the approach of English Canada was pragmatic and specific, and that they would find if they would get specific with proposals that a useful dialogue could take place. This is Ryan in *Le Devoir* speaking to French Canadians.

You see, we think for instance there will be things said about the Supreme Court, claims that there ought to be changes made. To be

more specific, Dr. Forsey said (and I agree with him) what we have got to resist is the delegated theory of the position of judges, and the whole implication of the Quebec position on the Supreme Court is that the judges of the Supreme Court are in the pocket of the federal government because they are appointed by the federal government. Now, this has to be answered. It is untrue; it verges on the defamatory; it is a complete misunderstanding of the English Superior Court developed after the Act of Settlement. It does accord much more closely with the position of judges in France.

Now, one has to be able to say: "Well, we don't accept this delegated theory of the position of the judges of the Supreme Court. However, you are uneasy about the Supreme Court. There are certain things can be done. The objective statute of the Court could be specially entrenched in the constitution. We do not think it would make any difference, but if you think it does, let us do it". Perhaps there are ways in which the quality of the appointments can be improved, to use an advisory committee of one kind or another.

Well, this is what I mean by defining what is unacceptable, meeting it, but not just doing that; if there is a constructive alternative, put that forward too.

12 THE CHAIRMAN: I can tell you in a word what the position of the Prime Minister of this province is as of now. By all means, let us look first of all at the proposals that Quebec is making, and in many instances we might well decide, for example, it doesn't make any difference who actually pays out Family Allowance cheques - we might decide that. If so, why worry about it? Then there are other things we think matter and then we had better say so.

DEAN LEDERMAN: Exactly.

THE CHAIRMAN: It is as simple as that. That is his position and the way in which he would like to approach this Conference: let us be relaxed about things that do not really worry us, and let us sort out those things upon which there can be no side-stepping.

DEAN LEDERMAN: There is a sense in which the pressure is off, because nobody is going to try to get a resolution through about anything.

THE CHAIRMAN: Right. We want to sample what people feel and go on from there.

DEAN LEDERMAN: Nobody is going to be voting six for and three against.

THE CHAIRMAN: I quite agree personally with what Dean Dillon said. You are sure to go under if you do not know what you stand for. You can't just stand against; you have got to

stand for. This is very important.

DR. FORSEY: I would venture a matter of caveat on the/ such things as Family Allowances.

THE CHAIRMAN: I just took that as an example.

DR. FORSEY: I might add I would battle to the death on, but in some instances you have to watch out for the sheer political danger; for example, of members from the Province of Quebec, finding themselves cut off, as it were, from the daily life of the people, so that whenever anybody is getting any benefits, it is always "that splendid man Johnson" who is giving them.

THE CHAIRMAN: I know.

DR. FORSEY: The things that really interest you, it is the provincial government. "Qui a fait le bon temps? Maurice Duplessis".

--- Short recess.

THE CHAIRMAN: We have gathered a lot of ideas now and suggestions, and I think that there could be other matters to do with the agenda you want to discuss. However, this will feed into the mill of the group that is working on the agenda, to try and revise these and bring them back to you further. I don't know whether there are other points you want to raise on this item at this time. I think

it is a matter of getting the ideas and advice here and getting to work on them.

MR. PERRY: The only thing I would like to raise, I do not think our sub-committee would like to feel that they had been out-done in their loyalty and devotion. Is this sort of acceptable procedure that Bill Lederman has outlined of preparing a few short data papers? Will this be helpful?

DEAN LEDERMAN: This is a very proper question. Do you want us to do this?

MR. PERRY: Do you want it done? If so, we probably could find a few subjects to work on.

PROF. CREIGHTON: This, of course, is connected with this other question that we asked before, and that is the future of the Committee.

THE CHAIRMAN: Right.

PROF. CREIGHTON: These two subjects have now become rather mingled and mixed up.

THE CHAIRMAN: At this point we might treat them as the one, I think. They are certainly immediately relevant.

DR. FORSEY: May I say what I understood about the kind of thing that Bill Lederman, Donald Creighton and I were to do with these three or four items here. We were to prepare a statement of what we thought the appropriate views were, and bring it back to the next meeting

of the Committee. I don't know whether that was made thoroughly clear in the discussion that took place.

PROF. CREIGHTON: This was in fact not, first of all, directly related to the Confederation of Tomorrow Conference.

DR. FORSEY: No.

PROF. CREIGHTON: It came up first when we were discussing the future operations of the Committee.

THE CHAIRMAN: Yes.

PROF. CREIGHTON: And it seemed to us, as I said, when we were in the research policy sub-committee, that I couldn't take the time to do the kind of paper which I had promised - for which I felt and still feel guilty - and that it might be possible, however, to do something rather shorter, a shorter, more positive paper, in collaboration with Eugene - a small sub-committee in other words might be another way of fulfilling my commitment as it were, and at the same time provide a positive help for the Confederation of Tomorrow Conference. It would do two things.

DR. FORSEY: I urged that in view of the fact that we had first of all the Confederation of Tomorrow Conference coming up, and then the Pearson Conference coming up early in 1968. There was a certain degree of urgency about getting some positive views put forward on certain things

that seem to be certain to be raised in one or both of these; and that, speaking as a fourth-rate, part-time academic and an outsider, what we wanted at this stage was not so much a profound study by great scholars like my two colleagues, but a short, concise, cogent statement of certain main points which might be of use to the Government of the Province of Ontario in these two conferences. It could, of course, go directly to the waste basket, but I think we have in this Committee a certain responsibility to place before the Government of the province some considerations that we thought were of importance. So we undertook to draft something for the consideration of the Committee.

PROF. CREIGHTON: But it was not simply or solely undertaken with the view of the Confederation of Tomorrow Conference in mind on my part; it was partly to fulfill this other obligation or commitment which I thought I had, which I had so far not carried out.

DEAN LEDERMAN: We went specially to these things against a background of considering some introspection, I suppose, about what our role as advisers was. I repeat what I said, and this does not necessarily involve anyone else in concurring with me, that we are operating

in three groups here: You have outside advisers; you have the civil service group; you have the Ministers themselves. The direction and limits within which each of these three groups works differ quite considerably, and naturally should differ.

Now, we started out with a very small secretariat. In fact, I think Ian, you and Don were carrying the burden yourselves sort of in addition to a very full schedule anyway; and gradually we went through a stage of using summer assistants, but now we have a greatly expanded and very good permanent secretariat, which I think is a great advance, but it also means, I suppose, that there ought to be some re-thinking of the role of the outside advisers.

THE CHAIRMAN: Yes.

DEAN LEDERMAN: The Secretariat and the relation that each of us has to the Ministers. It was against this background that we decided well, some probably short data papers or position papers on these subjects that are likely to come up might be the sort of thing that the outside adviser can do and might be appropriate at this point. Maybe not -- I don't know. Eventually Mr. Robarts will have to say, presumably, what the relationship between the three groups is.

THE CHAIRMAN: Yes, you are quite right that the circumstances have changed a lot.

I am very pleased and quite proud of the group that we have gathered together in the Secretariat now which has, I think, made a tremendous difference to what we can do. We can put forward work that the Committee can advise upon and carry forward in the normal staff way.

I still think there are matters in which as members of the Committee we want to analyze their work, but fundamentally I do not think the Committee members as such could be expected to produce extensive research papers, so to speak. I think we should have more staff work, staff papers which we should bring forward here. You can send them back for change or refining, with your advice, and so on. I think that is the kind of thing that would fit best at this juncture.

DEAN LEDERMAN: That was not the original position, though.

THE CHAIRMAN: No.

DEAN LEDERMAN: If anything was going to be produced, we had to write it ourselves or engage somebody to do it, but now, of course, we have a very strong Secretariat.

That means, in short, that this particular list of the work of the Ontario Advisory Committee on Confederation from its inception is to some extent representative of a situation which no longer obtains in quite the same way it did at

13. the beginning. We were dunned for a lot of things here that I don't feel we really intended to do in the way we contemplated originally.

DR. FORSEY: There was some suggestion in our sub-committee also that possibly this Committee was nearing the end of its usefulness, if I understood what was said. I think Professor Creighton was inclined to think I had made such contribution as I had to make, as I think I may, and I was even superfluous. I believe somebody had even gone further in suggesting the Committee had made its contribution and was now superfluous. I don't know whether anybody wants to pursue that.

PROF. CREIGHTON: I am willing to pursue it to the extent that you want to identify anyone who wants to suggest this awful idea. I was one of those who did; the argument being that I thought unless the members of the Committee were prepared to give the amount of time which I found it very hard to do, remembering my work at the University and remembering my commitments for books and articles, that I found it very hard to give this and could not make the kind of contribution in the way of papers that I thought would be desirable, perhaps even necessary; but I thought we had covered in a general way a lot of our ground, and that perhaps the best thing, in general terms (I think you said this yourself

at the meeting of our policy sub-committee) that we had discussed at great length, with conflicting views, the problems of Confederation, and that the probability is that we would not get very much closer to a consensus than we had already; that we should address ourselves to particular items, and that those items were items which were likely to come up at these two conferences which are to take place late this autumn and the beginning of the new year.

I thought if and when we did that, and my contribution took the form of these rather more short and positive papers in which I could help Eugene, then that would finish my part of the thing anyway.

THE CHAIRMAN: Well, I don't want to suggest any death wish upon the Committee in any terms. I think it is fair to say that we had an open mandate.

There are two events imminent: the election and the Confederation of Tomorrow Conference which, in the normal course of things, might suggest that we reconsider our direction or the Government consider the direction that it wants to move.

Undoubtedly there will be organizational changes and other changes for one reason or another, after the election, whatever happens; but I think for the meanwhile, certainly up to the Confederation

of Tomorrow Conference, we have our work cut out for us.

Now, I am called away again in a couple of minutes. I apologize for this, but the Prime Minister will be on the road for the next four weeks and there are certain matters of some importance that had to be settled today.

However, it is nearly four o'clock and my understanding is that the members of the Secretariat who are in the group have pretty full notes on the questions that were raised for the Conference and for our research work; and I would propose that we in the Secretariat and Mr. STEvenson and myself go to work on these and try and perhaps get some notes out to you very quickly. This would let you see the direction that all groups were taking and quickly sift these into a positive suggestion to put before you before another meeting.

There are two items that remain. One is that the issue of Le Devoir of June 30th which you received and has been mentioned several times, several people have suggested to me (and I think it is an idea which is a very good one) that it is too bad that this was not available in English to English-speaking people in Canada. The proposal has been made that it might be a useful project if this Committee were interested in underwriting

a translation of that particular item. We have talked a lot about what French Canada does and so on, and this is a pretty thorough documentation of many points of view. I put that forward for your consideration.

The other point is that although it is always tricky to get into playing around with meeting dates, the next meeting would have been the 20th. Several members here have notified me that they have commitments on Friday the 20th. I am aware that there is a conference in Halifax of the National Law Students on the constitution the following weekend the 27th, which I have an idea may hit some of the members of this Committee.

The proposal was made that you might be willing to consider putting it at Friday the 13th, the second Friday in October for the next meeting - which perhaps in many instances would be useful because it would give us a more convenient interval between that and the Confederation of Tomorrow Conference, to take up our views and carry them forward.

MR. PERRY: Has the date been set for the Conference?

THE CHAIRMAN: Yes, the Conference is set from the 27th to the 30th November. First of all may I ask, is there any dissent from Friday?

PROF. SYMONS: No dissent. I just cannot come.

PROF. MEISEL: I am not sure. There will always be somebody. It doesn't matter.

PROF. CREIGHTON: That makes it about the same if two cannot come for the 13th.

THE CHAIRMAN: I always feel it is better to put forward alternatives, and if there are equal numbers that feel this way, I think it is fairer to stick to the statutory date.

PROF. CREIGHTON: I think there were two who couldn't come on the 20th.

DEAN LEDERMAN: I cannot come on the 20th. It is our Centennial Convocation.

DR. FORSEY: I cannot come. I have to deliver a lecture at Acadia.

DEAN LEDERMAN: However, if there is going to be as much trouble on the 13th, there is no point in changing it.

PROF. BRADY: I suppose Thursday the 19th ---

THE CHAIRMAN: There is nothing sacrosanct about Friday for us. I imagine it does affect the university teaching timetables.

DR. FORSEY: As far as I am concerned, I shall be in Nova Scotia all that week, but it never occurred to me there was any business about that making any difference, just because I will never be missed by anybody in view of my

obstreperous character, and it might be better if the Committee could meet in relative tranquillity in my absence.

THE CHAIRMAN: Leaving that aside, I think we have to stick to the date, the 20th.

DR. FORSEY: You will have a written statement of mine definitely, which will be shorter and better.

THE CHAIRMAN: We can get your views in advance, I am sure.

Would you like to expand any more about the substance of the Le Devoir issue for information, Don?

MR. STEVENSON: It has been sent around, of course, to all members. We had hoped within the Secretariat that we would have the resources during the summer to perhaps summarize in English the basic points contained in the 25 articles. Unfortunately we did not have the time and resources to do that. I hope that a number of you have had a chance to go through the articles. They are written from a number of points of view, although, of course, since most of their authors are from Quebec, they tend to represent the spectrum of Quebec, although they do have outside authors like Professor Smiley from U.B.C. and one or two others.

DR. FORSEY: Brewin.

THE CHAIRMAN: If you will excuse

me now, I am going to ask Professor McIvor, who is sitting conveniently near, if he would take the Chair to conclude this item and also the resolution on the National Capital District. I apologize again for the circumstances, which are rather unusual.

--- Mr. Macdonald vacated the chair which was taken by Professor McIvor.

MR. STEVENSON: I think the thought was that if translation were to be undertaken - we contacted Le Devoir to see whether or not they had made any arrangements themselves for a translation of the issue, and they said that funds had prevented it, although they had discussed the matter with the Clark Irwin Publishing Company but it had gone no further.

If there were to be any kind of sponsorship or co-sponsorship of the translation here, I think obviously it would have to be prefaced by a statement saying that there is no endorsement whatsoever of the views contained in it, but there was a feeling that because this was one of the most comprehensive surveys of attitudes on some confederation questions, particularly from people in French Canada, that it was thought worth while to distribute it more widely in English.

DEAN LEDERMAN: I would like to have a translation myself, because so far I have only been able to work through a few paragraphs of it with a dictionary at my elbow.

PROF. MEISEL: I wonder if it would not serve our purposes better if we encourage either the publisher and/or Le Devoir to go ahead with publishing the thing, and we might help by offering to buy and distribute a certain number of copies. It seems to me this is well worth doing, translating it, but if this is just for our own sake half of us can probably read it in French as well.

MR. STEVENSON: The idea was to have a considerable ---

PROF. MEISEL: That it would be distributed commercially?

MR. STEVENSON: Yes.

PROF. MEISEL: That's great. Otherwise I don't think it is worth doing.

MR. PERRY: What do you do? Do you have some sort of list?

PROF. FOX: You have a list, do you?

MR. STEVENSON: It is a little awkward, because there are a number of lists which the Government has. One list contains newspapers across English Canada, libraries, schools, this kind of thing. Another list contains people who have shown interest in the Advisory Committee

background reports.

PROF. MEISEL: Another possibility would be Ron Burns, who is just playing now with the idea that his Institute might publish a number of things, and either sell them or make them available free of charge, and he might be interested.

DR. FORSEY: I think it is most desirable it should get circulation amongst people who cannot read French. I haven't read the whole thing, but I have read several of the articles very carefully, and they provide a large number of eye-openers.

PROF. CREIGHTON: Mr. Chairman, I do not want to sound sour or dissenting, but I am afraid I am going to. I am afraid this is going to be a very expensive operation to get this translation done and published. I do not think publishers will do it without very substantial support indeed. You may have gone into it already and know I am wrong in this assumption, but it seems to me it is most unlikely in view of what has been happening recently. There are a great many books published in the last few years in English speaking Canada which have presented the general position of Quebec in English, and on the whole these have had diminishing returns of recent years particularly, and one or two have got into

a complete mess as the result of some of the recent things they have undertaken.

If you are willing to get into that large expenditure, which I think would be likely, in fact inevitable, that's all right, but I think we would probably be supporting it.

PROF. BRADY: I think it would be very advantageous if these articles were available in English - not least of all, incidentally, because it would be useful to have them in the hands of the Ontario Ministers who are going to participate (and I assume there will be a number of them) in the Conference at the end of November. I don't know what is involved here on costs to meet Professor Creighton's point.

PROF. CREIGHTON: It is utterly impossible in the first place to get it out before the Conference now; the mere task of publishing, it is quite impossible.

PROF. BRADY: I assume it would be a paper-backed thing; it wouldn't be a book, or it need not be.

MR. STEVENSON: No.

PROF. BRADY: I would think the paper-backed type of thing would not be too expensive, and the commercial publisher who expresses an interest, after all, would be able to give some data on that matter as to what it would cost.

I do not fancy we want to or you want

in this department, to spend a large sum of money on it. I would not feel it would take a very large sum of money. If it could be published in a very inexpensive form, it would certainly be advantageous to have.

DR. FORSEY: The big expense, I would imagine, would be the translation. The actual issuing and the printing would not run to a terrible lot.

PROF. CREIGHTON: It would be how many thousands of words? It is at least 75,000.

DR. FORSEY: I don't know, but the translation would be very expensive and, as you point out, it could not be possibly got out before the Conference, which is certainly a point. At least I don't see how it can.

MR. STEVENSON: It might be. I think our thought was that the probable form of binding would be the cheapest possible, maybe even somewhat as it came out originally in the form of a newspaper supplement would not take long in printing.

DR. FORSEY: But it takes some time to translate.

MR. STEVENSON: Translation would be the problem.

DEAN LEDERMAN: If you print it within the government and use any government facilities that you can control as to the timing.

Professor Creighton's point is that you cannot control the timing of the outside publishers and get them to do it.

PROF. CREIGHTON: Try to get them to do anything now at this point? No, no.

PROF. FOX: Is there a possibility of doing something between these two options? That is, have members of your staff abridge the important articles and translate them and put them out in a cheap form, mimeographed or photocopy, that would be available - somewhat similar to the Advisory Committee's first publications, to cut down the volume of the thing. There is always a great deal of repetition, and it seems to me that your staff is familiar now with the lines of argument and could do that sort of editorial job if the staff had the time. I think we should not underestimate the time that is involved in this, but it would certainly be much easier.

DEAN LEDERMAN: If I were one of the authors who wrote in *Le Devoir* - if I were the management of *Le Devoir* itself, I would look long and hard at this proposition. If I were the author, I would like to see what anybody was saying.

DR. FORSEY: You bet. I have been engaged on an article for Canada Year Book on the history of the labour movement, and they have

sent me only so far French offerings. My hair stands on end at every second line with the inadequacy, to say the least, of the translation job, and they obviously had not any idea of the stuff, and the consequence is it has produced some weird and wonderful things.

I am not suggesting the secretariat would be in that position. They would know what it is about.

I think there is a problem of selection, and there is a problem of translation. It may be very tricky to phrase, and the authors might very well say: "but you haven't grasped my point at all".

THE CHAIRMAN (Prof. McIvor): There is the problem of the same word meaning different things in different languages.

"Reine" and "rein".

DR. FORSEY: / "Danger" and "danger" also, to be --

MR. PERRY: Are you proposing to do this in the Secretariat?

DEAN LEDERMAN: My point is that even if it is capable of translation, you still have to have the authors' consent.

THE CHAIRMAN (Prof. McIvor): That's a very good point.

PROF. CREIGHTON: Why don't we say the Secretariat is invited to explore this question and see if a possible solution is there?

THE CHAIRMAN (Prof. McIvor): Is there

general agreement on that?

--- Cries of "agreed"

DR. FORSEY: Let the English speaking people learn some French.

MR. STEVENSON: It raises one question. If it is found possible to arrange some kind of form of publishing that is feasible in terms of timing and not too expensive, the question is then raised about the possibility of the name of the Advisory Committee being used, and the opening statement being signed perhaps by the Chairman. We raised this in the Prime Minister's office as to the possibility of this being done by the Government, and the reaction from Mr. Robarts' office was that this is the kind of thing which perhaps it would not be wise for the Government to be involved with, but the Advisory Committee may well decide that it feels it could sponsor the publication itself.

PROF. SYMONS: Mr. Chairman, I would support giving the Chairman of our Committee the authority to make this decision for us in the light of the explorations as to the feasibility and cost. I think, if it is feasible, that it is a very constructive and helpful proposal. I think it is one way in which our Committee can perform a service to interested people beyond this room. It is perhaps an example of a way in

which we can give this kind of service - and occasionally we have discussed this - how we could assist the Members of the Legislature and interested and informed members of the public.

I would hope we would authorize our Chairman, in the light of the findings of these explorations, to proceed if it seems feasible.

THE CHAIRMAN: (Prof. McIvor): On our behalf?

PROF. SYMONS: On our behalf.

DEAN LEDERMAN: This is on the understanding that it would be stated very carefully that these are not put out as our views.

PROF. MEISEL: Because those views are so contradictory - well, they would be our views. (Laughter)

THE CHAIRMAN: (Prof. McIvor) Not the same range.

DR. FORSEY: "For information only".

PROF. SYMONS: I quite agree. I think that is an absolutely essential condition.

PROF. FOX: We could put in we support the contradiction but not the ideas.

DR. FORSEY: I will certify without reading it that there is nothing in it that will represent Professor Creighton's, Mr. Magone's or my views.

PROF. CREIGHTON: I didn't realize until Mr. Stevenson spoke a moment ago, that this

Committee would be assuming responsibility for this translation and publication, and also recommending the expense. In the light of that information, I think I will withdraw my motion and somebody else can make it. I am not inclined to do so.

MR. MAGONE: I would think the propaganda machine that wants to reach the rest of Canada should pay for it themselves.

DR. FORSEY: Quite. I think there is also the probability that the last thing the propaganda machine in question wants is English Canadians to see what these views are. My guess is, judging from what I have read, that English Canadians seeing these things in front of their noses, would have their pants scared off them.

PROF. CREIGHTON: After what happened at the Montmorency Conference and the convention at Toronto, can you still believe that?

DR. FORSEY: Yes. I didn't feel either the delegates in the N.D.P. convention or the recent Conservative convention were representative of English Canada. In both cases they were over-awed by the grandeur and distinction of the people on the platform (this is my guess) and said to themselves: "It doesn't make any kind of sense to me, but all these people are much wiser and more experienced and learned than

I am, so it must be all right".

PROF. CREIGHTON: I withdraw my motion.

THE CHAIRMAN (Prof. McIvor): If I understand the question, we have had the benefit of a general discussion but I have no motion. Yours was a sort of appendage to what had gone before, Tom?

PROF. SYMONS: Yes, I felt if the Committee wished, that we should empower our Chairman to take this action, if it is economically feasible. I still feel that.

THE CHAIRMAN: Would you like to put that as a motion?

PROF. SYMONS: I am not sure whether our Committee really proceeds by motion. If there is very serious and substantial objection to this being done in the name of our Committee, I think it is very difficult for the Chairman to do it. I regret that we may be in that position, because I think that, partly for the reasons Dr. Forsey gave - he said it is important that we should enable people to see these views and appreciate them. I think it is part of the job we can do and it is part of the job we have not been doing, in contrast, for example to the method of procedure of the B and B Commission. But I won't make a motion; I do not think that is the right way to proceed.

PROF. CREIGHTON: I have been put in a position of great liberality by that last

statement, so I think I will withdraw my objection. I won't sponsor this motion.

THE CHAIRMAN (Prof.McIvor): If you have been put in the position of withdrawing your objection, perhaps this is the time to leave the discussion on the assumption there is general agreement that we will trust to the judgment of our Chairman.

PROF. CREIGHTON: I do not think Mr. Magone is in favour.

MR. MAGONE: I am not in favour. As a matter of fact I have more than I can read now.

DR. FORSEY: Me too.

MR. MAGONE: I have a room full of stuff, being charged rent for it.

THE CHAIRMAN: (Prof.McIvor): Of course, there is no pressing obligation to read this.

PROF. FOX: Would it be any use to suggest we find out what the costs are and what the feasibilities are, and report at the next meeting?

MR. STEVENSON: We were hoping we would be able to arrange it relatively quickly, this is the only problem.

PROF. BRADY: I think it should be left to the discretion of the Chairman.

DR. FORSEY: Will you so move?

PROF. BRADY: I would be prepared to move.

PROF. MEISEL: I will second the motion - we don't have motions.

DEAN DILLON: Perhaps we can find out, Mr. Chairman, how many are in favour.

THE CHAIRMAN (Prof. McIvor): I think we might have a straw count of this.

DEAN DILLON: This is on the understanding that the preface says we are not responsible.

THE CHAIRMAN (Prof. McIvor): That we are not responsible.

MR. MAGONE: I have an amendment, that provided it does not cost the province any money.

THE CHAIRMAN (Prof. McIvor): This is rather a drastic amendment, that I think we should not accept it.

PROF. CREIGHTON: I would think that would be a good amendment.

THE CHAIRMAN (Prof. McIvor): I would like to have a straw vote on the motion that is half before us. Those in favour of this procedure? Contrary?

I think this is the best we can do, and you will have to accept that as general guidance.

There is one other item on the agenda

that the Chairman asked me to bring back, and this was the matter of our action on the National Capital District, where it was sent out for re-phrasing, and the proposed statement is this:

"The Ontario Advisory Committee on
"Confederation recommends:

"That the Government of Ontario
"accept the invitation of the Federal
"Government to be represented on a
"tripartite commission to decide upon
"the future of the National Capital area;
"and that the representative of the
"Government of Ontario be guided by
"the following considerations:

"(1) The enhancement of the
"physical beauties of the national
"capital;

"(2) The desirability of
"arrangements which would best facilitate
"the development of a federal public
"service symbolic of our bicultural
"heritage;

"(3) The desirability of
"arrangements which would permit
"Ontario to maintain its responsibilities
"for municipal and educational
"institutions in the province, and
"which would permit it to advance any
"plans for metropolitan development

"and education in the Ottawa area;

"(4) The creation of a metro-
 "politan government through which all
 "municipalities could act on matters
 "of general interest, while leaving
 "the appropriate local authorities
 "the responsibility for matters of
 "local interest."

That is the end of the statement. It combines
 the general encouragement with the particular
 criteria which Harvey advanced in his statement.

One question that struck me in the
 phrasing:

"... be guided by the following
 "criteria . . ."

whether the implication would be these are
 limiting criteria or exclusive criteria, or whether
 we might add "inter alia by the following criteria"
 to give them some further flexibility.

PROF. SYMONS: I would welcome that
 addition, Mr. Chairman. I think this makes
 clear that while these seem to us the essentials,
 that it should be open for the exploration of
 every avenue and possibility.

DEAN LEDERMAN: "be guided, among
 other things, by the following considerations" -
 a little milder word than "criteria".

6.

DR. FORSEY: You have got "desirability"
 in there each time, which leaves certain room for

manoeuvre. It doesn't say it has to be; it simply says "desirability", and perhaps at some point in the process of horse-trading the Government of Ontario would say: "We would have liked to have that, but on the other hand, this package doesn't look too bad and we will let that particular thing go".

THE CHAIRMAN (Prof. McIvor): Do we prefer the word "considerations" to "criteria"? That was another point.

MR. PERRY: As the result of about fifteen minutes deliberation, I thought that "criteria" was a nice bridge between the too large, I think, conception of "objectives" and the too fuzzy description of "considerations" .

DR. FORSEY: Hear! hear!

DEAN LEDERMAN: I yield!

PROF. MEISEL: Mr. Chairman, there is a very small verbal change that I would like to suggest. Maybe I am too fussy, but on the first one where the original draft mentioned "objectives for a federal service symbolic of our bicultural heritage", I would prefer something like "appropriate" or "suited to our bicultural heritage"; simply because I think "symbolic" could in its context be interpreted as being a sort of token that nobody takes very seriously.

DR. FORSEY: Champlain's picture on unilingual signs.

THE CHAIRMAN (Prof.McIvor): Instead of "symbolic of", "appropriate to", is that it? Is there general agreement?

PROF. SYMONS: Agreed.

THE CHAIRMAN (Prof.McIvor): Does that leave us then with an appropriate balance between, it, what was/fuzziness and specificity?

DEAN LEDERMAN: It leaves us teetering anyway.

THE CHAIRMAN: (Prof.McIvor): If I hear no objections, then I turn that over to you. Are there any other items you or your associates would wish to raise, Don, before we adjourn?

MR. STEVENSON: I think that covers it.

THE CHAIRMAN: (Prof.McIvor): If not, I think the meeting is adjourned.

--- The meeting adjourned at 4.25 p.m.

20N PMB

-65V26

Government
Publications

ONTARIO ADVISORY COMMITTEE ON CONFEDERATION

M E E T I N G

held at

The Frost Building, Queen's Park, Toronto

on

FRIDAY, OCTOBER 20, 1967



VERBATIM REPORT OF PROCEEDINGS

ONTARIO ADVISORY COMMITTEE ON CONFEDERATION

M E E T I N G

held at

The Frost Building, Queen's Park, Toronto

on

FRIDAY, OCTOBER 20, 1967



VERBATIM REPORT OF PROCEEDINGS

ONTARIO ADVISORY COMMITTEE ON CONFEDERATION

Meeting held in the Board Room, 6th floor,
The Frost Building, Queen's Park, Toronto,
on Friday, October 20, 1967.

PRESENT:

Mr. I.M. Macdonald (Chairman)

Prof. A. Brady

Prof. D.G. Creighton

Dean R.M. Dillon

Prof. P.W. Fox

Mr. G. Gathercole

Mr. C.R. Magone, Q.C.

Rev. Dr. L. Matte

Prof. E. McWhinney

Prof. J. Meisel

Mr. J.H. Perry

Mr. R.N. Seguin

Prof. T.H.B. Symons

Mr. D.W. Stevenson)	
Mr. R.A. Farrell)	Co-Secretaries

Mr. E. Greathed

Mr. C. Beer

Mr. G. Posen

Mr. P. Venton

Miss C. Malone

--- At 9.40 a.m.

THE CHAIRMAN: Gentlemen, there are two very happy events to which I wish to allude right at the outset. The first is to say how extremely pleased I am, and I know the whole Committee must be, to see Father Matte with us again after a considerable absence.

--- Cries of "Hear, hear".

FATHER MATTE: Thank you, Mr. Chairman.

THE CHAIRMAN: You were often in our thoughts as you know during that time, and we are absolutely delighted to have you back with us and in your accustomed spot.

FATHER MATTE: Thank you so much.

THE CHAIRMAN: Secondly, I would like on my own behalf, and by way of mentioning to members of the Committee who may not be aware of this, to take note and express congratulations to Mr. Roger Seguin on receiving the award "Fidelite Francaise" of the Conseil de la Vie Francaise en Amerique, which award, I understand, was begun in 1947 and, perhaps somewhat like the Canada Medal, has not often been awarded in the interim and probably has the greater importance, I am sure, for that. I offer my warmest congratulations, Roger, on that.

MR. SEGUIN: Thank you very much,

Mr. Chairman.

THE CHAIRMAN: Well, the political events have now run their course. The Prime Minister is very much concerning himself with the Confederation of Tomorrow Conference now, although I think as we saw him in the last two days he was somewhat a weary campaigner. He is off this afternoon by ship from New York to Britain for a few days of business and pleasure in that quarter and will be away for two weeks. When he comes back, I imagine we shall be burning some midnight oil on steps leading up to the Conference at the end of the month. Also, as I shall mention later, he would like to have a meeting with the Committee prior to that time, to have, as it were, perhaps a dry run or a mock conference and prepare himself for some of the eventualities of that week.

PROF. SYMONS: On the 54th floor.

THE CHAIRMAN: We can be sure at least that in some sense the discussions will be elevated.

Now, more in a minute about the arrangements that are under way and the steps towards the Conference. I would like, however, to introduce to you a new member of the Federal-Provincial Affairs Secretariat, Miss Malone, who is seated here, and who has

joined us within the past few weeks.

Parkinson is making his presence felt in the Federal-Provincial affairs Secretariat. Another new member, Mr. Metcalfe, will be joining us at the end of the month.

I think this is a natural trend for a body of this kind which began two years ago from scratch as it were. Its place has become established, its responsibilities have increased. The number of other departments who are looking to it for central functions and a central focus has grown. Whereas I personally shudder from time to time at the growing size of the establishment here, nonetheless, the jobs are there to be done. As a result I think, and I hope that you feel, the Committee too has been better served in the process. We are developing more capacity for direct research, for day-to-day intelligence and so on, in the Secretariat, which I hope will save time, if it has not already ^{and} will enable us to do a lot more of the scratching and enable your time to be spent more in the advisory capacity, as you had wanted it to be, I am sure.

PROF. CREIGHTON: Perhaps the time will come, Mr. Chairman, when the Committee can hand over to the Secretariat.

PROF. McWHINNEY: Silent revolutionist.

THE CHAIRMAN: I think diversity and

advice will always be welcome. I notice, for example, that despite the long established reputation of the Department of Finance and its civil servants, Mr. Sharpe has been flying kites about appointing task forces of economic advisers and what-have-you for this purpose -- rather interesting development.

MR. PERRY: It is recommended by our Royal Commission.

PROF. McWHINNEY: It is fascinating after the experience with Martin O'Connell and those people that prepared the first Walter Gordon budget.

THE CHAIRMAN: I think these people, their presence would be made known, which, I think, was the problem in the other case.

PROF. McWHINNEY: And they would not use downtown brokerage firms.

THE CHAIRMAN: I would mention the regrets for absence which have been received from Dean Lederman, who is participating in ceremonies commemorating the 125th anniversary of the commencement of teaching, is it, in Queen's University?

MR. PERRY: The figure of 125, I don't know what it indicates. It is a very large figure.

PROF. SYMONS: 125th year of granting of the Charter.

THE CHAIRMAN: That is Confederation plus 25. Dr. Forsey is giving the Knowlan lectures in Acadia University, one of which was given last evening and the other this evening.

MR. GREATHED: They will be delivered later.

THE CHAIRMAN: They will be delivered later. We have a copy. Professor McIvor is detained on university business in McMaster, and Professor Conway has sent his regrets.

Now, before we come to the agenda that I have circulated, one final matter. I think you might like a preliminary run-down of the planning and arrangements which have been under way for the Confederation Conference. This will be the principal question before us today, but I thought it might be interesting to take a few minutes by way of describing some of the things we have been doing, and the approach we have been taking in the planning of this.

I might mention I did confirm with the Prime Minister yesterday that there will be provision for all the members of this Committee who wish to attend, to be present as observers at that Conference, the dates being Monday, November 27th at 10.00 o'clock in the morning until luncheon on Thursday, November 30th -- three and a half days.

Now, we have a Conference committee functioning in the Government in the accustomed fashion through the medium of sub-committees. Our sub-committee here, which Mr. Stevenson is chairing, is the agenda sub-committee, and that is looking after the discussion of the programme, so to speak. Another sub-committee is under the chairmanship of the gentleman who is the Commissioner of our pavilion at Expo, Mr. Ramsay, and he is looking after physical arrangements, -- all of those countless details that are required for physical arrangements of a conference.

Thirdly, under the director of information of our department, Mr. Beeney, he is looking after the press and the public relations and that side of things.

As I say, we have been concentrating our efforts on the formulation of the agenda, as you know, and we will talk about that today.

Meanwhile we have arranged teams of civil servants who have been out to visit all of the provinces, with one exception where the weather intervened. I thought I would ask Ed Greathead if he would report on some tours to the west, and Mr. Posen might say a word or two about the same tours to the east, which I thought would be interesting to you in terms of the type of question and the type of

response we have been getting across the country.

PROF. McWHINNEY: Is it possible to ask you to say which provinces are not attending?

THE CHAIRMAN: Well, as of today our understanding is that all provinces will be represented by their Premiers, with one possible complication in Manitoba to which I think Ed will allude.

PROF. McWHINNEY: That will simply go to the personality of the person attending.

THE CHAIRMAN: Yes.

PROF. McWHINNEY: Has the Federal Government made clear yet what it means by "high level civil servants"?

THE CHAIRMAN: Yes. On three different occasions, as I have noticed, since the House opened on September 25th, Mr. Pearson has had a question put to this point in one form or another and has adhered to his reply that senior civil servants will come as observers. I do know from conversations with one Federal Cabinet Minister that there are two views on this, and that the Prime Minister still is under some urging by some of his colleagues to revise that stand and send Cabinet Ministers either as participants or as observers, but my guess would be that he will cling to his position.

PROF. McWHINNEY: But it will be a team, will it, or just one person?

THE CHAIRMAN: I assume so.

PROF. McWHINNEY: Might be twenty or thirty people?

THE CHAIRMAN: I wouldn't think that size, Ted; I would think no more than three.

PROF. McWHINNEY: Thank you.

THE CHAIRMAN: Any other questions on any of the general detail before we hear about the tour? Do you want to mention the highlights of the west?

MR. GREATHED:: I would like to begin by saying that all the provinces have now been visited with the exception of British Columbia and Nova Scotia. Dr. Keith Reynolds, the chief executive officer to Mr. Robarts, is going to Victoria today and will see British Columbia officials then. Either myself or Don Stevenson will be visiting Nova Scotia late next week. While we have not personally made a visit to Quebec City, Don is planning to see them next week, and we have been in telephone conversation with them.

I think the primary aim of the visits was to stimulate the provinces to do some thinking on this question and to explain to them in a little more detail the letter of invitation which Mr. Robarts sent to each

Premier. I think that as the result of the experiences we have had in visiting the various capitals, this has been accomplished.

Dr. Reynolds and myself went out to Winnipeg last week and there, as the Chairman mentioned, there are some particular problems because the Manitoba Conservative party are having their leadership convention the Saturday before the Conference opens. Mr. Roblin made it very clear (and we had a brief conversation with him) that he was not coming to the Conference; that he was in a very real sense a lame duck and that he could not say who would represent Manitoba at this Conference until his successor was known, and until this successor had made some recommendations on this matter very little could be done. So Manitoba was clearly in a very awkward position. I think the very earliest they can swear in the new Premier is the Monday which is the opening day of the Conference. If he can get together a Cabinet and so on, he might get to the Conference later on.

I think the tentative suggestion concerning Manitoba, and this was more from the civil servants rather than Mr. Roblin, was that possibly their senior delegate would be a Cabinet Minister who was not in the leadership race, plus one or two civil servants.

The Chairman and myself visited Regina and Edmonton as well. We were in Regina one day after the election and things were naturally in a bit of turmoil.

It was pretty evident, I think, in both Winnipeg and Regina, that they had done relatively little thinking about this. I think it is fair to say that in both cases the political people had not really been contacted about this matter. They had received the invitation, of course, but they had other problems on their minds and they were not thinking too seriously about the problems concerned. I think we did, as I say, help to get them thinking about the Conference and thinking about the various aspects of it.

The contrast between these two visits and the visit to Edmonton was rather sharp. The Chairman and myself had an hour and a half with Mr. Manning, and Mr. Manning expressed himself in a very clear and vigorous fashion on a number of problems and commented in some detail on the agenda. I think we can expect from Mr. Manning very frank and forthright statements at the Conference.

PROF. CREIGHTON: Of what nature were the comments?

MR. GREATHED: I think primarily he was particularly exercised over the concept of

the linguistic and bicultural nature of the country, and I think ---

PROF. McWHINNEY: I am sorry - what was that last phrase? -- linguistic and bicultural?

MR. GREATHED: Over the linguistic and bicultural problems of this country. He was, I think, very pointed in his remarks and in the sense that he did not want us to think that Alberta's position was such that they accepted this point of view.

PROF. McWHINNEY: Which point of view?

MR. GREATHED: Namely, that he was concerned that the country was moving in a direction in which linguistic and cultural duality was to be accepted. Mr. Manning did not share this view. Mr. Manning felt very strongly that particularly in the western provinces there was a very much greater heterogeneity of groups and so on, and he wished the emphasis to fall there. I think the Chairman will agree with me that he was completely candid about these views, and he made it very clear that he was going to express them in a very strong fashion at the Conference.

I think this is going to pose a number of difficulties for Ontario. I think it is going to pose a number of difficulties for us all, but I think it is fairly safe to say that

the three western provinces of Saskatchewan, Alberta and British Columbia are likely to share Mr. Manning's view. Manitoba is likely to have a somewhat softened version of it, I think.

I do not think I have anything more to say about the western visits. Perhaps Gary can comment on the eastern ones.

MR. POSEN: I think our reception in the east was very much the same. Mr. Stewart Clarkson who is Deputy Minister of Economics and Development and the Chairman of the Planning Committee for the Confederation of Tomorrow Conference, and myself visited Newfoundland, Prince Edward Island and New Brunswick.

In Newfoundland I think we found that the attitude had undergone an almost complete change. We spoke to the Premier's assistant, and he assured us that Premier Smallwood would attend the Conference; that their original doubts had now been laid to rest.

PROF. McWHINNEY: Did he say why?

MR. POSEN: He didn't say why. I suspect that a well-placed phone call had something to do with it.

PROF. McWHINNEY: By whom?

MR. POSEN: It may have been the Federal Government.

PROF. McWHINNEY: By Mr. Pearson,

I think. This change is an astonishing thing.

THE CHAIRMAN: I think Mr. Robarts has had one or two chats with him over the summer.

PROF. McWHINNEY: For Mr. Smallwood it is an astonishing change as one understood Newfoundland's view.

MR. POSEN: I think their view was based on the fact that the Federal Government was in complete opposition to the Conference, and as that opposition dissipated their own opposition also did.

PROF. BRADY: Who did you speak to?

MR. POSEN: Ed Roberts, who is the Premier's executive assistant.

PROF. McWHINNEY: This is the young fellow who graduated from Toronto.

MR. POSEN: That is correct.

PROF. McWHINNEY: First year law student and delegate to the Dominion-Provincial conference. He is quite bright.

THE CHAIRMAN: He is now a member of the Legislature, Parliamentary Assistant to the Prime Minister.

MR. POSEN: We also spoke to Mr. Hickman, who is the Minister of Justice. They informed us that they were prepared to come to the Conference to participate in it. They well understood that the Conference was to be a discussion, that it was not to make decisions, and they were perfectly prepared to come on this

basis.

In Prince Edward Island we also found the officials enthusiastically looking forward to coming to the Conference, again understanding what the nature of it would be, although in both cases no preparation had been done. They realized that a lot of pressure would be placed on their Premiers.

We could not get to see the Premiers in any of the Maritime provinces, as they were in Montreal at Expo for Atlantic Provinces day.

In New Brunswick I was not present at the meeting, because I had to return to Toronto, and Mr. Clarkson met with the officials himself. He found them in a state of agitation, I think, more over the election situation in New Brunswick than over the Conference. They were fairly worried that anything that Premier Robichaud might want to say at the Conference, assuming he was still Premier at the time, would be used against him politically at home. They would like to be forthright, but they feared the Opposition would pick it up and make political issue of it, which made him somewhat chary of the open conference. Mr. Clarkson's opinion was that once the election was over, their fears would tend to dissipate somewhat.

We did try to get to Nova Scotia on two occasions. On one occasion we were fogged out;

on the other occasion Air Canada postponed their flight three hours and that effectively put an end to the meeting. Hopefully either Mr. Stevenson or Mr. Greathed will speak to the officials in Nova Scotia next week. We have sent them a copy of the agenda and a letter explaining the schedule of the Conference,

3. PROF. McWHINNEY: Can I ask about the other two provinces that were officially reported as not attending? Prince Edward Island was one and Saskatchewan was another. There has evidently been a complete change of position there. Did you have any reaction?

THE CHAIRMAN: Mr. Campbell has been very enthusiastic all along from P.E.I. He is very keen on it and will definitely be there.

Mr. Thatcher is simply not very patient with any conferences at all. He will be there, however.

PROF. CREIGHTON: Mr. Chairman, the other day Mr. Bennett expressed himself in terms very much as ascribed to Mr. Manning.

THE CHAIRMAN: That is, Premier Bennett?

PROF. CREIGHTON: There was no report of what your approach to him has been, what the result of that has been.

MR. GREATHED: Dr. Reynolds is flying out there right now, but I think a careful reading of that statement by Mr. Bennett belies the

headline. I think Mr. Bennett simply pointed out that B.C. had no provision for denominational schools, and he went on to point out that any schools were free to establish classes in French. I think the way he said it was perhaps a little unfortunate, but I think that the headline was not an exact reflection of his words, so that I was not as concerned by that particular statement as I was at first when I saw the headline.

PROF. FOX: There was a longer statement by him on the television news last night, in which it is clear what his position was, and certainly the headline of the Globe story, which I imagine you are referring to, was quite inaccurate.

MR. GREATHED: Yes, I think he was merely saying that B.C. was not going to change its position.

PROF. FOX: Said they would not have any separate school system.

PROF. McWHINNEY: You haven't spoken to Premier Johnson, of course, (he has just come back from Hawaii) but undoubtedly there will be correspondence with his staff. There has been considerable discussion in Quebec. Jean Lesage asked for a bi-partisan delegation. Has there been any word yet on the Quebec delegation?

MR. GREATHED: I think until Don sees the people down there, we have no definite word. They are being very quiet about it.

PROF. McWHINNEY: The interest is undoubtedly tremendous and they are going to come. The only doubt is internal complications, whether you bring Mr. Lesage along and Rene Levesque, and others who want to come, or simply make a monolithic solidarity.

THE CHAIRMAN: My guess is in the present mood they won't be there. Of course, that could change in a couple of weeks.

PROF. McWHINNEY: They would like to be there.

PROF. SYMONS: Mr. Chairman, -- Mr. Greathed, when you were in Edmonton did you encounter Eric Schmidt, Manning's assistant?

MR. GREATHED: We know of him. We met with Mr. Manning alone.

THE CHAIRMAN: We wanted to encounter him, because there was a passage in Mr. Manning's book which he made up.

MR. GREATHED: The three-times-six policy matrix.

THE CHAIRMAN: We were rather hoping to have him explain.

MR. GREATHED: A variation on the A plus B theorem.

PROF. McWHINNEY: Has it any meaning?

MR. GREATHED: I don't know. It was just evident in Mr. Manning's book.

PROF. FOX: I think that is a reference to the White Paper. It may not make any more sense after you have read the White Paper - the insidious application of econometrics to political science.

PROF. SYMONS: I was particularly interested, because I met Mr. Schmidt not too long ago. It is the only time I have had an opportunity to meet him or chat with him. He knew a good deal about our Committee, was very interested in it, and wasted no time in asking questions about it. He knew its membership, and he knew, therefore, I was a member of the Committee, and he went immediately to that subject. He suggested Mr. Manning was interested in establishing a parallel committee in Edmonton, and expressed the hope that if and when they could prevail on the Premier to do this, that they might get in touch with our Committee for advice on how to proceed; and raised the question that our Committee might be interested in flying to Edmonton for a meeting as their guests. This I undertook to relay to the Committee.

THE CHAIRMAN: This practically sounds like the expansion of the National Hockey League to me.

PROF. FOX: If we are going to go out of business, why don't you just change the whole team?

PROF. SYMONS: It is for this reason I asked whether you had met Mr. Schmidt because I am sure that his role in regard to federal-provincial matters is one of considerable importance and may be somewhat obscured by Mr. Manning's strong public personal views on the matter, but I should think that the possibility of quite extreme changes in the point of view of Alberta is very close in the background.

 May I go on and just comment upon the review of visits to the different provincial governments that we have received, Mr. Chairman? On the one hand it is good news that there is going to be a fuller participation than anyone might have hoped a few months ago. On the other hand, I do feel somewhat concerned about the shift in the balance of the character of the Conference that is now emerging. I think the Conference looks like a totally different animal now from the picture that it presented three or four months ago. I would feel a little concerned about the direction the Conference might take. I think it is possible ---

PROF. CREIGHTON: Excuse me, why do you think it is so different?

PROF. McWHINNEY: Could you sketch out the trend which you see, Tom?

PROF. SYMONS: I think the essential thing is the changed membership of the leading participants; the elimination (just speaking very frankly) from the Conference of the two most effective and perhaps most constructively interested Premiers from the English language provinces. This is a commentary upon our federal system, but I think the results in terms of the Conference are regrettable. The decision to participate which we must welcome but it does bring problems of the two far western Premiers, the presence of Premiers of both easterly provinces being entirely desirable and objects to be sought; the re-affirmation of support from Mr. Thatcher in Saskatchewan sends him to the Conference with a position of greater strength, and I feel there has been a significant change in the character of the Conference and in the possible direction which it might take, by the elimination of some participants and the decision to come in force of others. I think it may be, for this reason, an even more difficult Conference than it looked like some time ago. If the election results in the turning out of Mr. Robichaud and the installation of Mr. Van Horne, it will be even more difficult a conference. I think it is not out of place in our meeting to

speak frankly about these matters.

I think the Premier of Ontario has a tiger by the tail. It is possible that it could be a powerful conference indeed, in a way that I think was not true to anything like the same extent a few months ago.

THE CHAIRMAN: Well, Tom, I think on the one hand we are quite reassured about one point, and that is it is clear, as a result of these visits in the intervening months, that the essential character of the Conference and the purpose of the Conference are quite well established in the minds of the people with whom we spoke; that is to say, they recognize first of all that it is a discussion conference and not a decision-making conference. They recognize secondly that it is to bring out in a manner and in a context in which it has not always been done, the various regional views and attitudes to Confederation.

In his letters to the Premiers Mr. Robarts was careful to stress why he felt that it was important that all provinces be present to represent their position, because he felt that the Federal Government, Ontario and Quebec had been perhaps too dominant in the Confederation debates to this present time, and that we should try and get back to the situation that prevailed at an earlier time when other provinces had a

very important voice in what happened.

That is one side of it. I would gather from what you say, however, that you feel that notwithstanding that, it is the *dramatis personae*, so to speak, that may create a problem; and, if so, do you feel that the voices may be too harsh and not sufficiently moderate?

PROF. SYMONS: I think perhaps it is more a matter, Mr. Chairman, simply of noting, as I felt we should if we want to be of assistance to the Premier, that there has been really a significant change in the balance of the Conference as a result of developments in the last three months, and this could result in quite a different kind of conference from the one as we first looked at it.

I would certainly think that it is essential that there be full participation or as full participation as one can secure, from provincial leaders, and it is only a matter of noting the fact that there perhaps ought to be some concern about the possible direction the Conference might take. When I say that, I know, of course, that there is no attempt to have a firm set of directions in regard to policy, but its value as a place to form public opinion may have been changed somewhat.

PROF. CREIGHTON: It seems what

Tom is saying is that the Conference will be less likely to be unanimous and more likely to express the real conditions and opinions which exist inside the country. I do not regard that as regrettable; I regard it as desirable.

MR. MAGONE: I was trying to analyze what Dr. Symons said, and it seemed to me that what he was actually saying was that it is not nearly as likely that the Conference, as it will be set up now, is going to agree with, if I may put it this way, the views as expressed in the interim report of the cultural sub-committee here; in other words, that we have Mr. Roblin out, we have Mr. Stanfield now as Leader of the Opposition. They both expressed views that conformed to some extent with the views of this sub-committee, the cultural sub-committee here; but I would remind Tom that those views were particular views expressed for particular purpose; and, as the former Prime Minister of this province said to me when I suggested to him that someone had said something in opposition that he was not carrying out in government, he said "It doesn't mean a thing". So that I say what Mr. Roblin and Mr. Stanfield said when they were campaigning for leadership of the party does not mean a thing.

PROF. McWHINNEY: I agree with Tom

in this comment. I think when there was a boycott, if you wish, by certain Premiers and a group really, for want of a better term, of "moderates" or "the reasonable men", there was a prospect of a consensus emerging on certain proposals that would be acceptable to a majority perhaps of the nation, but not necessarily so.

Now it is a much more representative one; it reflects all the national divisions. This is a loss in one sense, but it means you will get real problems to discuss.

I also would think, and I am drifting a little bit here, but I suspect the Federal Government's position is not final. I have the impression from talking in both Montreal and here in the last few days, that the Prime Minister may be under strong pressure to reverse his position and attend in person. I take it that if that occurs Mr. Robarts would concede him the Chair at the meeting, and then you might get a very full national picture.

I suppose there is one thing that one could add to what Tom says though, and that is simply this. It is possible that too many expectations have been put on this Conference, particularly in Quebec. Premier Robarts' reputation and standing in Quebec is quite extraordinary. I think there is an

expectation of Ontario leadership at this Conference and certain initiatives which may be hard to realize.

I know Claude Ryan had an editorial the day before Premier Robarts went to Montreal last week about how everybody was waiting for the Premier's speech at McGill and looking for constructive new leaderships, and everybody waited. I saw that and I saw the speech, and one understands he got very conservative advice from political advisers that in the last week of the campaign he had better stay away from this situation. I think there was a certain disappointment. In some cases I think the responsibility people are placing on Premier Robarts outside this province may be heavier than it is fair to expect him to assume.

So at the price of getting a representative conference, you really mirror national divisions and disagreements, and reduce the possibilities of consensus; but in a way I think these are the political facts of life, and it may help to face them right away.

I know a good deal of the tug-o-war in Quebec and part even of the struggle in the Liberal party, the ouster of Rene Levesque, has been based on certain notions of accommodations that would occur. It may be better to have these things out in the open, discussions, whether

accommodation is possible or not.

So this, it would seem to me, is the choice: less representative, but more, if you wish, moderate position, or the more representative conference that more accurately reflects national divisions.

PROF. SYMONS: If I can have one more go at this, Mr. Chairman, I do agree it is good that it will now be more fully representative and I think this is entirely desirable. I think it would have been most regrettable if the point of view of Mr. Bennett and Mr. Manning and Ross Thatcher and these others -- yes, even Van Horne -- were not represented. I think it is regrettable that the point of view and long experience on these matters of two particularly able men is removed at the same time; and I just think it is obviously going to affect the complexion of the Conference and will probably throw, I am afraid, a greater onus upon the Prime Minister of our province in the guidance of the Conference. I do not merely mean in what is a desirable outcome, but just in the actual creation and management of a worthwhile gathering on national problems in three and a half days. I think he has a much more difficult job than it might have been twelve weeks ago.

PROF. BRADY: Mr. Chairman, I would

agree with Tom. I think the important point is that two of the strongest provincial Premiers in the country, and two men who are thinking about the country really in its national aspects, and who were not merely provincial Premiers, have disappeared and will not be present at the Conference. I think their absence will certainly be felt, and their absence will throw undoubtedly a greater responsibility on Mr. Robarts.

With respect to Mr. Magone's remarks, both of those men, after all, are geared as provincial Premiers to take strong positions on these things, and particularly Mr. Roblin, for example, on this whole matter of bilingualism. However, I do not think, Mr. Chairman, you wish us to enter on a discussion at length on this matter at the present time.

THE CHAIRMAN: No, well, I have just two comments, as a matter of fact, with respect to the point Tom has made. We had quite a little discussion about that yesterday, and I think the present character of the problem is well understood here, Tom. I think that point is appreciated.

Secondly, just for the record, Ted, with respect to that McGill visit, as I understand it there were ten Premiers there given degrees. The major seven had been invited from Mr. Johnson,

and the other three were told at the last minute to say something for three minutes. So Mr. Robarts spoke for three minutes.

PROF. McWHINNEY: It simply indicates how unreasonable perhaps the expectations are that you will find taking place. As you know Mr. Johnson has been in Hawaii for six weeks, but Claude Ryan did have the editorial the day before on how Quebec was looking forward to Premier Robarts' speech.

THE CHAIRMAN: I quite agree that one thing that has made me uneasy from time to time is the perhaps unreasonable expectations of this one Conference of this character to solve the problems of the country. I think we are going to do our best in the next little while to counteract that expectation as far as possible. We do come to the detail of all of this at greater length later today.

Perhaps we might leave our review on that for the moment, if you will, and plunge into the heart of the agenda. The first point is the discussion of the report of the cultural and educational sub-committee on French language secondary education - an exercise which I know has involved that sub-committee in endless work and thought and application over the past few months. I would only express my appreciation in advance, Professor Brady, to you and the

committee for the considerable effort that I know has gone into this and to bring forward this report for discussion today.

I think, with your permission, I will ask Professor Brady to take us through the report, as you are undoubtedly closer to it than I am.

PROF. BRADY: Mr. Chairman, I thought I would make a few introductory remarks and then leave the members of the Committee to raise questions about the report.

I am assuming that the members of the Advisory Committee in general would have read the report; that it would have reached them in time to be read by them.

Secondly, I am not going to start, as it were, at the beginning and draw attention to points in given paragraphs or so on. I do not think that would be relevant, if the members have read the report.

I would like to mention first, because this matter may be raised, that in the meeting on June 16th I reported on behalf of the sub-committee that its report on bilingual schools was in preparation and was not ready, as we had hoped, to be submitted at the June meeting on the 16th of the Advisory Committee; and that I thought it desirable to mention, by way of an interim report, the broad general conclusion which the Committee had agreed on. This

broad general conclusion was submitted in the form of a resolution which read that the Province of Ontario, subject to a study of the principal problems involved, should establish as soon as possible, bilingual secondary schools within the public system.

This resolution was discussed by the Advisory Committee, or at least by those present (unfortunately there were only eight present) and the discussion is contained in the verbatim report of the Committee for June 16th.

As a result of the discussion, the resolution was slightly amended to read:

"That the Province of Ontario,
"subject to study of the problems
"involved, establish the principle
"as soon as possible of bilingual
"secondary schools within the
"public system where the number of
"pupils warrants it."

In this form it was agreed to by the members present.

During the summer the report of the sub-committee on the subject was completed and agreed to by all its members. Its general conclusions and recommendations are, I hope, in harmony with the interim report that I made on June 16th, but some additional details, of course, are added. I refer to page 3 of the

introductory section, that is, of the main body of the report, where a summary of the principal recommendations is contained. The first of these principal recommendations, that the Province of Ontario should make provision for the establishment of French Language public secondary schools as soon as possible, expresses substantially the resolution that I introduced at the meeting on June 16th.

Now, the other two principal recommendations, if not entirely fresh, at least were not under discussion and are not referred to in the meeting of June. Just as the report was being completed, Mr. Robarts made his speech in Ottawa on August 24th, wherein he said that it was the Government's intention, and I quote:

"to provide within the public
 "school system of Ontario secondary
 "schools in which the language of
 "instruction is French."

Such schools, he explained, will be established only where the numbers of French-speaking students are large enough to warrant instruction in French.

I might add that Mr. Robarts described his proposed policy as the logical extension of the present programme in which classroom instruction is given in French in some secondary

school subjects. In other words, his proposed plan was a development of existing policy and a completion of it.

The sub-committee altered little its report as a consequence of Mr. Robarts' speech, but in two details it did make changes. First, it had formerly referred to bilingual schools, which I think was the term that was commonly used by the Department of Education. It now used the term "French schools", the term employed by Mr. Robarts. That is a change of very little consequence, I think, because bilingual schools are sometimes called French schools, and the term "French schools" is quite an old one which one finds in discussions about bilingual schools in Ontario. Indeed, you find Egerton Ryerson using the term in fact before Confederation, in reference to schools in which French was a language of instruction.

A second point, the committee noted that Mr. Robarts said that the Department of Education would establish a committee to advise the Government in setting up these schools. Now, this procedure struck the Committee as an excellent arrangement. It is an obvious arrangement indeed; it is a necessary one. There are many practical questions to be dealt with, some of them quite complex, and they can only be dealt with after an Advisory Committee

that is adequately representative of experienced administrators in the educational system and of those groups affected by what the policy is designed to achieve. This special Advisory Committee, I gather, has not yet been instituted for, I suppose, obvious reasons, but will be, I fancy, in the near future.

The sub-committee does not attempt to recommend in its report how these practical questions shall be dealt with, beyond the general remarks made by it on page 20 to 22, and they are very general.

I might say a word or two about the third principal recommendation of the committee, namely that these schools should be provided for by the enactment of a statute in the Legislature of Ontario.

The sub-committee is aware that this may be a debatable item, even debated by those who would accept the two former recommendations. The sub-committee is also aware that the schools would be no less valid if provided for, say, by the kind of regulations which provided for the extension of French instruction in certain classes of existing secondary schools.

The primary reason why it recommends a statute on the matter is that a statute would make very clear to the public and to all interested, what was being attempted - as the Manitoba statute, for example, of the present year does. In the

case of Manitoba the Act is an amendment of The Public School Act, outlining the conditions in which French could be used as a language of instruction in the schools.

Where a minority group is concerned, a statute provides certainly the best assurance that its position and its privileges will be protected.

Now, a general remark on the gist of this report. As I think it has been pointed out before in this Committee, public-supported primary bilingual schools have been established and maintained in this province now for generations. This public support has been effected through the instrument mainly of the Separate School system, and in two localities at least of the ordinary instrument of the Public School system. In more recent times public support has also been extended to a limited extent to bilingual secondary education in its early stages.

From the point of view of the Franco-Ontarians, this partial support of secondary education is now considered by them very unsatisfactory, and the reasons why are explained in the report, and they are also explained incidentally, by Mr. Robarts in his speech in August. In other words, it is the damage to Franco-Ontarian children who have been, as

it were, in the French instruction stream, who reach the end of their primary education and have few opportunities, except by the expenditure of money by their parents to send them to private schools, to continue in the same stream. One consequence of this is a tendency for many of them to drop out.

The public secondary schools would provide in areas where Franco-Ontarians reside to any considerable extent, that they could continue in that stream; that they could have a bilingual education from kindergarten to the end of high school, something which would be roughly comparable to what Anglo-Quebecers have hitherto enjoyed in Quebec.

This system, when established, will be advantageous not merely to Franco-Ontarians but, I think, to Ontario, because the province will benefit from an extension of education to an important body of its citizens who have not fully benefited in the past. I think also it should be important, we hope, in the broader context of Confederation, since it means some protection to an ultimate French-Canadian culture outside Quebec. The Franco-Ontarians constitute an important part of the French-Canadian people outside Quebec; indeed, the Franco-Ontarians judged by either ethnic origin or by mother tongue, are more numerous than all

the French-Canadians in the other eight English speaking provinces combined; and a policy that guarantees to them this privilege in their education would, for that reason be significant in the context of the modern Canadian federal problem. That is all I am going to say, Mr. Chairman, by way of introduction.

THE CHAIRMAN: Thank you, Professor Brady. Could I suggest that we perhaps just take a break for a moment while we ponder this, and also give our reporter a break.

--- Short recess

THE CHAIRMAN: We have had Professor Brady's description of the recommendations and the background of the report. I think we might go on and consider now the contents. Are there any remarks that anyone wishes to begin with?

PROF. McWHINNEY: Excuse me. I couldn't hear your opening remarks, Mr. Chairman. Is it the agenda we are discussing?

THE CHAIRMAN: No, I am talking about Professor Brady's report.

PROF. McWHINNEY: Brady sub-committee's report.

THE CHAIRMAN: Sub-committee report presented by Professor Brady.

MR. MAGONE: Since the government's

position is, as a matter of policy, to implement these things, it is just an exercise in futility to say very much about it. That is my view.

PROF. McWHINNEY: One might add that it had an astonishingly -- perhaps not astonishingly good but an enthusiastic reception in all the papers in the Province of Quebec. As I say, Mr. Robarts, if ever he had national leadership ambitions, it would have affected it, I think. In national terms I think it was a constructive and very well received policy of the Government of Ontario.

MR. PERRY: I wonder if someone from the sub-committee could tell the rest of us to what extent this report does re-state the position the Government has taken. In other words, is there anything materially different or new in the report from the official position now taken?

PROF. BRADY: No, I don't think there is anything. It is a background stated here, described, and might be regarded as supporting the position taken, but substantially there is agreement.

MR. PERRY: I don't suppose we want to start disagreeing with the Government at least at this late date.

THE CHAIRMAN: I think as far as this report is concerned, the question before

us would be a consideration, given the basis of policy as laid down, of those matters in the report which involve any refinement or extension of qualification of the policy.

MR. PERRY: Is the matter of specific statutory amendment an issue at all? Does it strike anyone that this is the major item?

PROF. BRADY: Well, I think it could be an issue. Mr. Nixon, the Leader of the Liberal party, in the course of the election campaign, was reported in the press as expressing approval of the idea of extension of bilingual education but not by statute.

PROF. CREIGHTON: Yes.

PROF. SYMONS: He went even a little further than that, didn't he? I have the thing before me here, and he advocated recognition of the French language in Ontario, but not with legal status. He advocated improvement in the teaching of French and other non-English languages within the school system, but he was not in favour of statutory recognition of French in the Legislature or in the Courts; and, if the Globe and Mail has quoted him correctly, he summed up his position by saying that the English language was the language of the Province of Ontario.

PROF. BRADY: This is a newspaper report, is it?

PROF. SYMONS: Yes.

PROF. CREIGHTON: What is the date of that?

PROF. SYMONS: Globe and Mail, 23rd September.

PROF. CREIGHTON: We ought to have that perhaps.

PROF. McWHINNEY: Could you read that portion where he says he does not favour statutory recognition in the Legislature and the Courts?

PROF. SYMONS: Yes, I can. The difficulty, I might say again, is that this is a newspaper report of a press conference.

"Liberal leader Robert Nixon indicated
 "at a press conference yesterday that
 "he advocates recognition of the
 "French language in Ontario, but not
 "with legal status. The French
 "issue was raised when a French-
 "Canadian bystander at a press
 "conference asked Mr. Nixon, first in
 "French and then in English: 'What
 "'do you intend to do for French
 "'Canadians in Ontario?'

"Mr. Nixon answered that he
 "supported 'the extension of French
 "'education in those communities where
 "'the young people can obviously take

"'advantage of it.'

"He also advocated improvement
 "in the teaching of French and other
 "non-English languages in the school
 "system.

"He said he would accept the
 "use of French in the Legislature and
 "said French speeches should be
 "recorded in French in Hansard . . .

"Asked whether he would
 "introduce legislation as Premier to
 "give a legal recognition to French
 "in the Legislature and the courts,
 "Mr. Nixon answered: 'I don't
 "'believe that's necessary. I would
 "'not introduce legislation which
 "'would make the French language
 "'mandatory in other parts of the
 "'province.'"

He summed up his views with the statement:

"The English language is the language
 "of the Province of Ontario."

THE CHAIRMAN: Is it not true - I am
 sure I have heard speeches in French in the
 Legislature.

PROF. SYMONS: Yes, but I believe the
 point there is that it is by courtesy and custom
 rather than by right, ~~law~~; and then if a person
 speaks in French, I believe that Hansard records

it in English. Is that not correct?

FR. MATTE: As far as I know, they are sometimes recorded in French.

MR. SEGUIN: Racine has been recorded in French.

PROF. MEISEL: But also the member doing it may be attacked, as one of them was not too long ago.

--- Off the record discussion.

PROF. FOX: There is one ambiguous statement in what Tom read, that teaching in French should not be mandatory. It depends on your interpretation of the word "mandatory". I don't think anybody has proposed it should be mandatory, that anybody should be forced to take it in that sense, but it is a question of option that would be available. I don't know what he means by that term. It may be an inaccuracy.

THE CHAIRMAN: I wonder, could the sub-committee advise me on the suggestions for the disposition of this report now in view of the policy? What would you suggest as to how we should tackle this.

MR. MAGONE: Mr. Chairman, my view is that the suggestion that it be incorporated in the statute is impracticable; that no matter how you frame the statute, you still have to leave with some administrative body the determination of when and where you are going to

permit the introduction of French schools.

For instance, supposing you attempted in a statute to say where the population was 25 per cent or 15 per cent or 50 per cent. These percentages change from time to time, and what becomes mandatory at a certain stage might be just impossible to implement. Now, what is being done now is being^{done}/legally under regulations of the Department, and I cannot see any reason for changing that. It is being done, it is being done gradually, and I cannot see how any statute could be drawn that would be of practical application.

MR. PERRY: Mr. Chairman, I wonder if Mr. Magone can explain to us just exactly what is the legal background here. Surely it requires more than the Premier of the Province making a speech to bring this in effect. Is there some general statute under which ---

MR. MAGONE: It will have to be done by regulation under the Department of Education Act.

MR. PERRY: Under the Department of Education Act, there is authority there?

MR. MAGONE: Yes, there is authority there.

PROF. BRADY: Which has been exercised in the past.

MR. SEGUIN: But the Premier did not go on his own. The Premier had the full Cabinet behind him, less one.

MR. PERRY: It is not a matter of policy; it is just what the mechanics are. What is the proper way of achieving this result? --- Off the record discussions

PROF. CREIGHTON: I am disposed to feel, as I think Harvey feels, that an important change in policy ought to have statutory endorsement; in other words, that this should not be proceeded with by administrative changes, but should be carried out in a public way so that the whole of the people in Ontario can appreciate what in fact is being done.

PROF. McWHINNEY: I would agree.

PROF. CREIGHTON: The incredible thing is all these changes in the one way or the other in respect of separate schools and French speaking schools and so on, have to a very large extent been carried out by administrative changes in an unostentatious and surreptitious fashion and are not announced. This time they were announced.

PROF. SYMONS: To paraphrase Dr. Forsey, the creeping "Frenchization".

PROF. McWHINNEY: The Premier has an election majority, and one assumes, a mandate, and it may be helpful to make people

stand up and be counted, including people in the Opposition parties.

This sort of language, this press statement is pussy-footing language, and I think the right inferences were made, as Roger suggests; but it surprises me that Reid and others should not discern this sort of suggestion the party leader makes in the country areas.

I agree that changes of this sort ought to be statutory. I do not think the problems are insuperable in terms of drafting or interpretation. I agree there are difficulties but I don't think it is an insuperable problem of drafting.

PROF. BRADY: Mr. Chairman, I don't know whether this is the stage or the time for me to make a motion in respect to the report.

THE CHAIRMAN: I am not clear really. There is a complication in my mind in the sense that in large part the report pertains to policy which is already policy, and then it seems to me the statutory recommendation carries the thing one step beyond the present situation.

So the question is, what is it we are discussing with respect to putting forward any further recommendations to the Government? If one says: "The Committee would like to convey this report to the Government", the presumption is that the Committee supports the

recommendation with respect to the statute. On the other hand, if that position is not supported, the balance of the report which pertains to the present policy is perhaps redundant.

PROF. FOX: Are we not treating the report, Mr. Chairman, as we have treated other reports from sub-committees to the plenary committee? Wouldn't that be in order? I am thinking of the report that came forward from the economic and fiscal sub-committee. I can't remember now what the mechanics were, but I think we did formally vote on it.

THE CHAIRMAN: We did have a formal vote.

PROF. FOX: Were there others? There was the cultural report of Tom Symons.

THE CHAIRMAN: The other precedent was the report in the constitutional committee on the Supreme Court resolutions.

PROF. FOX: I think they should all be treated in the same manner.

PROF. BRADY: If that is your wish, Mr. Chairman, I would be happy to move the adoption of this report, if I have a seconder.

--- Professors Meisel and Symons raised their hands.

THE CHAIRMAN: Moved and seconded that this report as tabled be adopted by this

full Committee. Discussion?

MR. MAGONE: I shall abstain from voting, because I have some reservations which I have expressed before, in view of the fact that the major part of the report is now apparently government policy.

THE CHAIRMAN: If there is no further discussion ---

MR. PERRY: Mr. Chairman, I feel it is a little unfortunate that Roger Seguin has yet to say a word on the subject. Is there anything that he would like to add to the report? I think he is a member.

MR. SEGUIN: Our brief to the Government was brought about through the help of the cultural committee here. This announcement by the Premier, we are asking by statute and not otherwise because we are not satisfied with the way the present system in the Separate School is operating, under which in some localities it is left to the option of the school trustees, as a result of which we have not one French-speaking member on the board and we have no French classes.

Now, the statute can very well say that French may be taught but subject to regulations, and regulations can be made by the Department that it would require a number -- one thousand for instance, because we don't want any one-classroom schools, we are not in

favour of that, and if that is the system in some areas, well, we would rather see our pupils in the English public schools where they would be in the composite schools; but what we want is in areas where we can establish larger high schools of one thousand or more, then we want the regulations to state that the board will have to do so. Unless we can do it by statute, there is no way of forcing a school board by regulation only.

PROF. BRADY: It might be mentioned that the Hope Commission in 1950 recommended that there be a statute. The majority report regarded it as a very serious omission in the existing structure of regulations, that there was no statutory basis for regulations with respect to bilingual schools.

PROF. FOX: There is one problem in mechanics here, Mr. Chairman, that we have 12 members and there are 18 on the Committee. I don't know what we did in previous instances. I suppose we voted to adopt the report with only those present, but it is a problem with one-third of the Committee not here.

PROF. McWHINNEY: It would be.

PROF. FOX: It should at least be noted in the minutes.

PROF. McWHINNEY: It would be if two conditions were present: that a substantial degree in numbers dissented or, two, there was

something like the disqualification of a judge or president where you poll the people by name, but your normal rules apply, don't they?

PROF. FOX: I suppose I am just raising it as a point we might want to consider.

THE CHAIRMAN: One other member who is absent is another member of the committee who signed the report, so that leaves four who are absent; but I think we operate with such numbers as are present. I would ask then for some indication of those who would approve this report going forward to the Government as a report from this Committee. All in favour? Contrary if any?

PROF. CREIGHTON: I would oppose it.

THE CHAIRMAN: I think we had better note on the record the disposition of the Committee on this item.

Then for the balance of the day our proposal is that we should move into the sub-committees now to do two things: First of all, not to discuss in general terms the hopes and aspirations or fears about the Conference, but rather to go over the work of the Secretariat in the preparation of the agenda so far, and to address ourselves to a refining of the agenda as presently proposed.

We shall be wanting to get this agenda out shortly to other provinces, other participants,

and we would appreciate if you would cast a critical eye over the substance and the details and the particular points we have set out in this agenda, with a view to refining it for final use.

The second thing is to treat any matters pertaining to the ongoing work of research projects such as we have here.

Then I would think our plans are to have lunch in here at 12.30. I think we might see at what stage the sub-committees have arrived at that time, but I would like to have the balance and the bulk of the afternoon in plenary session here, since we have a small Committee, to discuss the Ontario Government position at the Conference.

In view of all that has happened in the last few months and in view of the point at which we have arrived, it is clear that the Ontario Government is going to have to anticipate the character and behaviour of this Conference on the one hand, and develop its own position on the other. That is the matter I would like your assistance with in the afternoon.

PROF. FOX: Where will the sub-committees meet, Mr. Chairman?

THE CHAIRMAN: Constitutional here, and the economic in my office next door, and the cultural with Mr. Stevenson.

PROF. FOX: So we will really be working with that document in sub-committee.

THE CHAIRMAN: That is right, the document distributed this morning called the "draft programme".

--- At 11.20 a.m. the Committee resolved into sub-committees and resumed in plenary session at 2.00 p.m.

THE CHAIRMAN: I had wanted to go right into item 4, the discussion in plenary session of the Ontario Government's position at the Confederation Conference. However, in consulting with the staff during the interval, I gather, as was certainly the case in our own sub-committee, that some fairly significant questions were raised about the agenda and the approach to discussion of the agenda; and that since this is so basic to what position Ontario will take or anyone else would take, I think we had better spend a little time, not necessarily settling things, but trying to gather together the basic and important observations about the agenda, so that we can try and refine it a little more accurately.

Now, I guess Harvey Perry has not returned yet, but Peter Venton has a report. I think just before you go into the detail, Peter, I think essentially our reservations revolved about two points. First of all

the opening session of ten rather generalized statements, would that take up the morning, and then would we be back where we started, so to speak; or can we sharpen up the focus of the Conference a bit at the beginning?

The other was to say that after all the whole purpose of this Conference is to try and sort out what the ends of Confederation are; what goals, what ends are we striving for in Canada, and then can we make the federal system work towards those ends?

It seemed that we could touch on that a bit under item 1: "What common concerns unite all Canadians in 1967?", but we felt that was scarcely adequate to the question of goals. That would need to be filled out much more, and could well occupy a whole session or more.

If you look down the page, when we jump into points 2 and 3, you are really right into means, approaches, and we felt that it is difficult; that what would happen there, presumably, that one would be catapulted right into the middle of an argument about special status, and we felt it was difficult to do that without having first established very clearly the goals and the ends.

Peter, do you want to follow on from there with any further detail?

MR. VENTON: I might just quickly work through a few points, and the major ones you have just mentioned.

There was some discussion on the television coverage, and some members thought at least part of the Conference should have TV coverage, despite the difficulties. Otherwise the Conference would not get sufficient publicity throughout the whole country; that press coverage might be quite heavy in the centre but not necessarily in the western and the far eastern regions of the country.

There were some comments on organization; some thought that the opening statement should be made before the Conference officially commences. It might perhaps be given at press conferences; other than that, that the introductory statement should be shorter, that the Conference should move more quickly into the discussion of the agenda.

There should also be provision for a recess so that the Premiers could discuss the proceedings of the Conference with some of their advisers.

There is also a feeling that the Premiers should not be presented with too rigid a conference, that is, too rigid a structure.

On the agenda itself, the points you mentioned were the main points; that the agenda should have more stress put upon goals; that

item 1 should occupy perhaps the whole of the first morning's discussion, or whenever they start into the discussion of the agenda.

There was also a suggestion that certain other parts of the agenda in the section on means were perhaps too specific.

Finally it was thought that there should be a smaller number of topics which the Premier could discuss more broadly. Those I think were the main points of the discussion.

THE CHAIRMAN: All right. Dick, do you or George have any point you would like to add to that?

DEAN DILLON: Just to amplify the remark about the feeling we had, that perhaps the first sessions might be devoted entirely to consideration of paragraph 1.

Along with that, we thought that the number of sub-headings perhaps should be increased. We thought of two which should be added to "Economic Growth and Minimum National Standards" and these were the quality of life and national health or physical and mental health, which is perhaps a subdivision of quality of life.

Then on the comment that we made about the recess, using the goals as an illustration, we thought that if this topic were to be dealt with in one session the participants would not have time to make their own statements,

to consider the statements made by others and then to sort of withdraw and reflect on the total situation, perhaps confer with members of their delegation, and then come back prepared for a summing up; that if the Conference were not organized in this way, we might lose something.

THE CHAIRMAN: George, do you have any points to add?

MR. GATHERCOLE: I think anything I would say would be simply by way of emphasis. First, I believe the agenda should take the form that it affords a sufficient number of subjects to enable the Conference to be kept moving, because some of the discussion about goals might become rather philosophical; and while these might be very appropriate areas for university professors, it seems not the most apt subject for men who have to deal with the practical problems of the day.

PROF. MEISEL: **Hear! Hear!**

MR. GATHERCOLE: To speak on at great length. So therefore I think there should be subjects inserted in the agenda that will stimulate thought and provide a key for the direction of the discussion.

At the same time, I believe in the opening meeting that all the provincial Premiers should be given an opportunity to respond in accordance with their own point of

view or in their own way; that is to say, that it is difficult to try -- it is impossible really -- to dictate the response that the individual Premier will take, and that he should be given a considerable amount of flexibility at the outset whether he wishes to speak for a minute or just to express his delight at being at the Conference and hope that it will be successful. I think it might be the general tenor, but if one of the Premiers wishes to speak at some length upon some particular aspect, to present his point of view, I feel that he should not be denied the opportunity.

For that reason I just felt that it would be better, rather than setting out that each Premier should be allocated ten minutes, that there should be simply a time allowed for opening remarks.

THE CHAIRMAN: Well, apropos of that, there is one other point I think we did not mention, and that is that I think we all felt that these background papers we had talked about preparing were very important to giving the Conference a starting point. We felt that these were very important, the contents of those papers, and we recognized decision-making to be difficult, to be both neutral and descriptive on the one hand, and positive on the other hand in the sense of generating the discussion, but

that might be noted as well.

MR. GATHERCOLE: I think, Mr. Chairman, if I might add one word to your observation, that the Premiers will recognize, as they have in the Federal-Provincial conferences, that the matter which they are discussing is one that is a sensitive area, and in the past, in my judgment anyway, they have been rather reticent, and overly-reticent in expressing their point of view.

For this reason I think everything should be done that can conceivably be done to ensure that the discussion is going to move ahead and it does not bog down, simply because of the desirability of a Premier not saying anything that might give offence.

THE CHAIRMAN: Well, thank you. Now, Ed, do you want to try and sum up the discussion in the constitutional group?

MR. GREATHED: Yes, I might begin by saying that these do not necessarily reflect any unanimous agreement among the members of the constitutional sub-committee at this point, but I think it is fair to say that the discussion centred around the two rather major points. One, the idea of putting the goals first was queried, and there was some discussion about whether the order of the four major items should not be inverted, in other words perhaps putting machinery first, talking about specifics before

one gets to generalities. I think this was one point that was given some consideration. The other ---

THE CHAIRMAN: We are suggesting it move 180 degrees anyway.

PROF. McWHINNEY: Except that George, I think, said the same thing but for a different policy reason. You simply referred to Premiers' expertise in other areas than professors, but I thought you made a somewhat similar recommendation, didn't you, discussing concrete problems?

MR. GATHERCOLE: I wasn't suggesting, however, in that that goals would not be an appropriate objective to commence as the first item on the agenda; but if it were placed there, then there would have to be a considerable amount of dexterity employed in order to ensure that the discussion did move ahead along practical lines, rather than sort of getting lost off in orbit.

THE CHAIRMAN: Carry on, Ed, and we will see.

MR. GREATHED: The other major point, I think, was the suggestion, again on goals, the possibility that we might have a session on goals at the beginning and one at the end; in other words, not having the two plenary sessions on goals run one after the other.

Our sub-committee discussed a number of detailed changes. I won't bring those in now because it was a matter of discussing some of the specific items and moving them around, and I think I will just leave it at that, unless Professor McWhinney or Professor Creighton or Mr. Magone would want to add something to what I have suggested.

PROF. CREIGHTON: Depends, Mr. Chairman, how you want to work it up. If you are dealing with only general questions respecting the agenda, this is all right; particular points, and we may as well go home. Which is it?

THE CHAIRMAN: We have a discussion here on the general approach to the order and the procedure, rather than the detail.

PROF. CREIGHTON: I may say it was Professor McWhinney's idea to undertake the order. I disagreed with this.

PROF. McWHINNEY: I had not the privilege of being at your meeting in September when I understand this was threshed around, but I expressed some horror at giving so much emphasis at the outset to general abstract questions. I cited the example of the Soviet-U.S. debate on disarmament, in those other areas. Whenever you talked about high policy, you got into name-calling debates; whenever you discussed specific concrete problems

you got a surprising degree of agreement and the general principles tend to emerge at the end.

It seemed to me one of the difficulties on the policy issues was you might compel people like Mr. Johnson, who are very careful in not taking categorical positions, to take them on claims in the abstract; and it might be better, for this reason, if you open with general discussion of goals, keep it fairly limited, and leave the final discussion of goals to the end, where at least your generalizations are empirical; they are based on propositions arrived from discussion of particular problems, and I think methodologically the point has certain elements to recommend it.

This is particularly so since, as Tom Symons pointed out, we have got a rather different group now, a highly expanded membership of the Conference, including all ranges of political opinion and categorical opposites, if you wish. But I actually thought there should not be any discussion of goals until the end, when you reach your values, your goals in deduction from the particular problems, but I could see a perfectly happy compromise in terms of a preliminary discussion only and leaving the conclusions until the end.

I then suggested threshing out your problem with some rather more specific

institutionally-oriented problems. I would add to what you have got here. I had a feeling George Gathercole was saying the same thing, although perhaps different for what I think are rather compelling reasons.

PROF. BRADY: Mr. Chairman, do you want comments at the present time?

THE CHAIRMAN: I think we might best hear the other report, and then we can have everything on the table so to speak.

PROF. BRADY: Fine.

THE CHAIRMAN: Let us go on to the cultural. I hope it was duly noted, by the way, that the economic and fiscal sub-committee gave great attention in their deliberations to the quality of life (laughter) and the broad cultural aspects.

PROF. BRADY: Good phrase.

THE CHAIRMAN: So now we will hear from the cultural committee and see.

PROF. MEISEL: About the hard facts (laughter).

MR. STEVENSON: Mr. Chairman, perhaps surprisingly, I think the main tenor of the cultural sub-committee's feeling this morning was in quite substantial agreement with that of the economic sub-committee.

Among the main recommendations which came forth from the meeting was, first, that

the formal agenda should be shorter without as many detail sub-topics; secondly, though, that a more detailed agenda, such as the one discussed this morning and amended after discussion today, should go together with the background paper in the advance mailing to the other provinces; and that this more detailed agenda, together with the background papers, might be made available to the communications media on the day each agenda item came forward. It was felt there would be quite some danger in having this more detailed agenda given any wider distribution in advance.

Thirdly, the sub-committee felt that perhaps the third and second main topics - the third one being the language question, might become second, and the second one (the more detailed ways in which the federal system could be improved) the third; the reason for this being that the sub-committee felt that the question of language is implied in the third topic under the first theme: "How best can we ensure the linguistic and cultural --" it says "duality" but the sub-committee thought it should be "heritage of Canada". They felt this question of linguistics should not be dealt with during the discussion of goals, but combined with the more

detailed discussion of language which is a later item in the agenda.

When they got into details, essentially the sub-committee discussed only the goals section and the language section. They made a number of suggested changes here which perhaps might come up later. They added also, suggested several items, to the goals, these being Canada's position in North America and the world and the social welfare, which they thought might be changed to "social well-being".

They thought also that the goals question might be divided into two; the goals then being discussed the first half day, with perhaps a slight addition where a summary - perhaps the reaction that the economic sub-committee was talking about - a summary of the implications or of common concerns be discussed the same day as the concerns themselves; with the question then about choices and major conflicts between national and regional goals being relegated specifically to the second half day's discussion.

They also suggested a number of changes on the break-out in the role of English and French languages, but the essential change there was that the title should be changed to: "How best can we ensure the linguistic and cultural heritage of Canada" rather than strictly "The

role of English and French languages". I think that covers the main points.

THE CHAIRMAN: Were there any other qualifications any member of the cultural and educational sub-committee would like to make? Well, there you have it.

PROF. MEISEL: What's that?

MR. GATHERCOLE: Sort of a dog's breakfast.

THE CHAIRMAN: Is that apostrophe "s" or "s" apostrophe on these occasions?

PROF. FOX: Just one point that arises in connection with what Don has reported, and that is that I think it is perhaps inadvisable to send out, if you deem it advisable indeed to go to the press ~~until~~ the day of the discussion, the sort of sub-heads of actual issues that will be discussed; because this will lead people to tackle Premiers before they speak and so on and get into positions. Then if you send this information out with the agenda that you sent to the provincial representatives, it will probably get out to the press anyway. Perhaps you should take that point into consideration in making any arrangement - either label it "confidential" or think of some other means to deal with it.

THE CHAIRMAN: Well, in general

terms I think the real issue is the question of expectations for the Conference. If I could try and just make three propositions from which we might begin: first of all, that the emphasis we have given to this Conference, the first proposition, is a more philosophical character than the Premiers are accustomed to dealing with, I think, in their day-to-day lives or day-to-day discussions or day-to-day decision-making.

As I mentioned this morning, it is also true that they are, in this kind of setting, a surprisingly reticent group; they do not enthuse or go forth readily in this type of discussion.

The second proposition is that there clearly will always be underlying the situation pretty strongly held differences of opinion on pretty strong issues that are before the country today; and the question is whether they should come out at any time and, if so, when.

Then the third point will be to reconcile the objective we have, which is to try and give a different cast to this Conference in terms of goals and objectives and ends and so on, while keeping it specific enough and topical enough and firm enough that they can seize on holding positions along the way to progress.

As I have been trying to think back

this morning to the various discussions that took place about why this kind of conference, for example, we felt in one instance that certain basic decisions about the character of federalism were taking place by assumption within the context of fiscal relations and decisions. At other times I felt myself that a great deal of energy has been exerted on discussions of constitutional change:

"Let us change the constitution, let us change the B.N.A. Act, let us do this and that" without terms of reference against which to say:

"Change for what purpose? What are we seeking to accomplish by the change?" In those cases what seemed to be missing was the kind of - if one accepts, and one may not agree with it, but if one accepts that the system of federalism is designed to serve certain purposes that are required today, then what are those purposes?

Finally, is this a valid way of going about it, to say: "Here are the panorama of problems that we find facing Canada today and Canadian federal and provincial governments". But we can perhaps boil them down to one set of problems common to all, common to several levels of government who have to deal with them, and what arrangements can we make to reconcile the one set of problems with the several levels

of government?

As I see it, that is the kind of thing we are setting out after in this Conference, or would like to.

Now, the agenda then, while obviously it is pretty basic, we could tick off on this or we could come flop, I think, very easily.

I suppose one other qualification, the Government has said that there are the four basic categories of things it wants to deal with, and there is always a danger, I suppose, of trying to do too much at one time or the first time over.

PROF. McWHINNEY: Your federal criticism of this Conference as far as it has been expressed (we are giving the public reasons now, not necessarily the determining motives) but the federal criticism which Mr. Trudeau has voiced repeatedly and, I think, even this last week, is that Premier Robarts is issuing a call to anarchy; he is opening up a general philosophical discussion, generalized debate, without any points of polarization in it, and this is just inviting anybody who wants to hack up the constitution to do it.

You can justifiably make the argument that you have made, I think, Mr. Chairman, that what has been missing has been the attention to philosophy or, if you wish, policy objectives

in the Confederation debate; we have tended to proceed ad hoc from problem to problem as things have developed.

I still think that part of this criticism of Mr. Trudeau's has been taken up in the press, and I also think that since Mr. Robarts issued his first call there have been certain political developments that do make more likely a sort of name-calling, old style Russian, general assembly type of approach on the part of perhaps some of the delegates. I think there are merits in concretizing and perhaps a little bit more than may have been the original objective.

This is one of the reasons I felt that, for example, in the constitutional area the proposals set out on page 6 were excellent proposals for discussion, and the sort of thing that, injected early into the conference rather than towards the end, would give a more concrete and correctly based focus to the discussion.

I agree one must end up with some sort of general principles, but I am wondering whether, consistent with that objective, one could not produce actually a bit more problem orientation at the start.

What I think might be dangerous in national, political terms, is if people in effect are called on to take positions on particular

status or special status or so on, without actually knowing what these things are, because they haven't got the indicia for them. You may force Mr. Johnson, who has been very careful to avoid taking a position, to take this; you may compel others to harden the position against it, without knowing really what it is all about.

This is, I thought, the case for giving a little more priority to things like the matters on page 6 and the matters on page 5, the role of the English and French language and the role of federal-provincial and inter-provincial relations in Canada.

Perhaps also I was a little sorry that the fiscal matters had been excluded, and I can understand the policy reasons why and they are obviously compelling. Nevertheless, it seems to me that some institutional issues on which the tax agreements and so on are predicated, could be brought in and could be usefully discussed.

The advantage of problem orientation is that there is a large element of mutuality and reciprocity of interest recognized by all parties in the present debate, all of the provinces including Quebec and federal government, in these arrangements; and there are obvious groups where ordinary common sense and the pragmatic experience you get in institutional

workings would suggest changes for the future and perhaps without in any way (and I am conscious that I missed the valuable discussion you had in September) without in any way destroying the general structure of the agenda; that more problem orientation could be produced and the timing of the problem discussion could be advanced to earlier stages. This is why I suggested that I thought the discussion on goals should be split in two, with the understanding that the first discussion at the outset would be understood to be preliminary and the conclusion on goals, if any is possible to be reached, would come at the end after this empiric debate, problem-oriented approach.

THE CHAIRMAN: There is one point I might mention, Ted, which is rather interesting. I don't know whether this is a positive conversion or an acceptance of the inevitable, but whereas a few months ago federal officials and Ministers to whom we spoke were, I think, uniformly ~~s~~ceptical about this, I was surprised when I was in Banff the other day and spoke to several senior civil servants from Ottawa and a Minister, when the point was put to me that they felt that whereas the time had not been ripe six months ago, they felt the country now was mature enough or willing to take this kind of approach and to tackle this kind of discussion

now. I don't know what it was all that happened in the last six months that brought us to our sudden maturity, but it was rather an interesting point of view.

PROF. BRADY: Is it suggested the maturity occurred in the Federal Government? (laughter)

PROF. MEISEL: Mr. Chairman, one thing that I do want to stress in reconstructing the agenda, is to load the thing in such a way that at many points throughout the proceedings there will be suggestions made for further discussions at a later date; so that throughout the idea would be generally accepted that this is just the first of a series of discussions.

THE CHAIRMAN: That is a good point.

PROF. BRADY: As long as one doesn't minimize the present agenda and discussions.

DEAN DILLON: Following along this point, if this is to be the first of a number of discussions, then the most important item, as I see it, the most important closing item, is where do we go from here? - rather than to make an attempt to sum up or to try to decide where are we now, but rather to decide where do we go from here? In other words we realize from the start that we are not trying to decide anything.

MR. STEVENSON: This was the reason, Mr. Chairman, for page 7, where we felt the last session on Thursday morning might devote itself to this very question. It is called "Priorities of Future Conferences". I don't think anyone would have to be bound by these ten minute statements by each Premier, I think that perhaps is not essential, but the idea is at that point ---

DEAN DILLON: I think we have been led along here to the proposition that we sum up at the end by referring back to the goals, and if we are to do that we won't have any time.

PROF. McWHINNEY: Your priorities though tend to be conclusions based on consideration of your goals, don't they?

DEAN DILLON: Then the consideration of goals should be placed in the penultimate position.

PROF. McWHINNEY: Yes, I would agree with that.

THE CHAIRMAN: I suppose there is a difference among the terms "Problems, Objectives and Goals", is there not, in this setting?

PROF. McWHINNEY: The point I was making was proceeding from the particular - if you had to reach the general, reach it through the particular first rather than the other way around. In a way, you see, I think your biggest hurdle to overcome and the issue really

that decides whether this is the first of many conferences or just one fatal error, depends on what in a way happens in the opening day or two. If there are walk-outs, that is the end of the thing; and although the federal civil servants, who are very pragmatic, as we all know from our experience at Kingston, may take a sharper viewpoint, this is not the statement the Federal Government as such has been making; and if there is a failure, I think it is going to be charged really to the Prime Minister of the Province here, because he took the initiative. A good deal of our efforts, therefore, must be to ensure that the noisy name-calling sort of thing you saw in the U.N. General Assembly in the early 1950's does not start the thing off. If somebody gets up and says: "If Quebec has no particular status, I won't hear of this" in the opening day or two, I think it is an unnecessary point because "particular status" has not satisfactorily been defined by anybody now in responsible position in Quebec. I exclude from that the former Minister of Education, because he is still only in opposition.

I am a little worried about compelling the taking of a stand on very abstract points at this stage. You have got to have your

opening statements, of course, but I don't know that you really need a debate on the general options before they have had to be defined or rendered precise.

PROF. BRADY: I couldn't understand your views, Ted, with respect to the first item: "What common concerns unite all Canadians?". In other words - goals. I think the items cited there are all very concrete. I don't think that you get from discussing them any kind of - or could not possibly get any kind of esoteric discussion that would be unrelated to really the concrete sort of questions that Prime Ministers are facing.

PROF. McWHINNEY: It is more item 2 on page 2 that I was referring to.

PROF. BRADY: On page 2? This is on page 2.

PROF. McWHINNEY: You are referring to item 1, I think, though.

PROF. BRADY: I beg your pardon. Yes. Well, I am more in agreement with you.

PROF. McWHINNEY: On item 1, I assume the goals are common. It is really, I suppose, the institutional goals that I am really concerned about: "What do you think of special status?".

PROF. MEISEL: Mr. Chairman, I don't

know how deeply you want us to get into some of the details, but if you are going to discuss them, we might as well throw in our five cents worth.

In my case I think the logical step from item 1 on page 2 would be not to discuss constitutional alternatives, but rather to ask one's self what kind of arrangements will have to be made to enable us to meet our common interests under these various headings, and not looking at it from the constitutional point of view but more or less from the point of view of machinery of government, the apparatus of an administrative kind that needs to be set up, consultation and so on, without necessarily going back to the constitutional framework. If this could be done, I think this would meet the point that Ted made.

PROF. McWHINNEY: Well, that would in fact. Special status is simply a label one applies to conclusions from hosts of specific arrangements; and I agree in fact, as suggested here, that if we could proceed from one to the particular institutional arrangements, that the problem in my view is solved.

PROF. CREIGHTON: What you are suggesting really, that you should think of various administrative ways of improving the

present constitutional machinery, and that in effect is agreeing with what Ted said, that you bring forward the last section or section 5 (whatever this is) and put it up here instead. That **burkes** the whole question whether you want to do anything fundamental with the constitution.

PROF. MEISEL: At this stage in the discussion, yes.

PROF. CREIGHTON: And this assumes the constitution is all right.

PROF. MEISEL: Not necessarily. It simply looks at the problems from the point of view of policies and solutions that could presumably be attempted under any number of constitutional arrangements. It sidesteps the constitutional issue at this point.

PROF. CREIGHTON: Yes, I am just wondering what these various arrangements might be though, more particularly.

PROF. MEISEL: Let me give you a very simple example. The kind of thing I have in mind is this. To achieve some of this common interest, it may be necessary to promote the highest possible degree of personal mobility in Canada; make it possible for workers to move, or people to move easily from one jurisdiction to another.

This is a solution to certain kinds of problems that can be applied under various constitutional arrangements, and you don't have to stop and say: "What are the constitutional arrangements required".

PROF. CREIGHTON: Yes, you do, because if you try to persuade a great many people from French Canada to move into other parts of the country, you immediately raise the question of the position of the French language.

PROF. MEISEL: That is correct, but I do not think you need to get into this at this stage in the discussion.

PROF. McWHINNEY: Not as a central issue, and you don't get into issues. For example, special status may raise the issue of such things - in some of the proposals suggested, whether such issues as provincial passports, this sort of thing, is a restriction of movement on the people. You can approach this from a very abstract constitutional point of view if you view it as a consequence of some sort of special citizenship status or the like; but if you approach it as an economic problem, if it essentially becomes an economic question of mobility of labour, lawyers - non-lawyers perhaps more than lawyers - love to discuss abstract consequences of abstract constitutional

concepts. I in a way think it would be helpful to avoid these things.

PROF. CREIGHTON: I would infinitely prefer to discuss mobility of labour as an economic concept, but I don't think it will stay that way.

PROF. McWHINNEY: I think it can, because in a way we have been debating a false issue all along, and I was thinking particularly in the Province of Ontario, by concentrating on regarding constitutional aspects as the key. This has been the fault, in my view, to a considerable part of the Federal Cabinet, but also of course of political leaders in other provinces; that when Mr. Kierans and others insist on seeing the thing in economic terms, you do get down to what I think are the fundamentals, and I would be awfully sorry if we let this debate end up and talk about symbols. The symbols really are just labels that in the end discuss arrangements which should be determined by considerations of a high empirical character in the field of economics and education and the field of welfare; and although you cannot avoid coming back to the constitution, I think the advantage of the approach John suggests is that you see the constitution as part of the perspective, as only one facet of the big problem - rather than the be-all and end-all of the debate.

MR. GATHERCOLE: Mr. Chairman, just along somewhat the same theme, I have some reservations as to how far you can pursue the subject of goals. I think that might be a good starting point, providing that the Conference does not get bogged down, as Professor McWhinney says, in abstracts: maintenance of health and welfare and mobility of labour, economic and social well-being, practising of one's own customs, language. Having said some of those things, it seems to me that you shortly come to the point where you have exhausted them. Most people are in agreement with these goals. Then you get down to the question of: "Well, how do you best resolve them?". I am just speaking from my own point of view, but I have a rather strong conviction that many of the -- particularly the Prime Minister of Canada should have been the chief spokesman in this regard, but also some of the other spokesmen in the Federal Government and perhaps elsewhere have remained mute while federal powers were being dissipated.

The consequence of this is that the discussion which has gone on, or the statements that have been voiced, have been largely from the point of view: "What can be done in order to accommodate the French-Canadian point

of view" particularly in the Province of Quebec? They have looked at this as being one of their major objectives, to be masters in their own house, doing their own affairs in their own way. They see many advantages that arise from this, and no doubt there is much that can be done in this regard that has not been achieved before.

However, they are not dealing with a sort of closed economy in a vacuum. If they become more detached from the rest of the country, they opt out of things, they operate their own economic system, participate on some basis which has never been to my mind expressed, in the determination of monetary policy, trade agreements and all the rest of them.

Then it raises the question as to what happens to the rest of Canada, and what would be the reaction to the rest of Canada.

So I feel that this Conference might advance into perhaps a dialogue, rather than what has been in my mind and my view rather a steady expression of the points of view from the Province of Quebec as to what they would like to have, like to receive, to accommodate them, without attaching to it the change that would occur in the other parts of the system.

I know that Professor Forsey has emphasized this and has agreed whole-heartedly

in this, but this is my own point of view too, that perhaps the people in the Province of Quebec, in seeking to achieve these new responsibilities, have not fully weighed the sacrifices that they would be obliged to make in obtaining them.

Just to have a conference which would repeat more of the same would, in my judgment, not really make a concrete advance or contribution to a solution of this problem. I think we have left it too much to the sort of embattled few people in the Province of Quebec to argue the case for a realistic assessment of not only the gains that Quebec would achieve by more legislative, administrative and economic responsibility, but the losses that would ensue, the things they would have to forfeit in achieving this.

I would be hopeful that in this Conference there would be people who in a rational way would be in a position and would be prepared (and this is another matter, being prepared) at such a conference to point out that it may not be all one way; that you cannot receive all the things you would like to do in your own way without establishing an environment which will certainly carry with it a number of disabilities and disadvantages to the French and to the Province of Quebec.

THE CHAIRMAN: Well, I think we have certainly got a great deal of advice here from which we can now carry on with the agenda. I am not sure how we will reconcile all of this, but we will have to come up with something, and we will do our best to do the right thing. However, I think this has been extremely helpful to us. It has grappled with some fundamental questions, and we will take it from there.

Are there any other points about the agenda or the mechanics or the procedure of the Conference before we go on to look into the place that Ontario now stands or might stand in?

MR. MAGONE: Mr. Chairman, I have just one suggestion to make. It is on page 2 in relation to item 3. I do not think that any of these suggestions that are put forward, should indicate that there is an agreement by everybody that these are desirable things to do. I would suggest that in relation to No. 3 it should start off with an assumption, that is, assuming the desirability of doing so how can you do so and so.

THE CHAIRMAN: Cliff, that actually was drawn to our attention by a couple of provinces we visited, and we are going through this with a view to neutralizing some of the assumed positions that come out in the propositions

here. The point is well taken. Thank you.

PROF. FOX: There is a point about the mechanics of the Conference that some of us were concerned with in the cultural sub-committee and perhaps some members of the other committees are concerned too. We talked about it during the luncheon break, one or two of us. This is the problem of the public nature of the Conference. Maybe enough has been said and, if so, let us drop it, but I feel very strongly (partly as a result of reading that article this morning that appeared in the Globe) that there may be some serious criticism from the media of communication if they find that the expectations that have been engendered thus far on being public are not met.

In particular, if the public in general is excluded, more specifically if they do not have the access that thus far they have been led to believe they would have, how this problem can be solved with the technical difficulties that I understand you have in the place you are meeting, I don't know.

However, it was suggested in our sub-committee that if it came to a choice of the press and other media people being admitted to the actual conference room and some of the advisers (including, I mention in this context

ourselves) I would think it would be wise on the part of the government to consider excluding some of the advisers, that is, putting them in a room that has closed circuit TV coverage, rather than the press.

I think this is a very serious problem, because you recall there was some stress placed by Premier Robarts on the open nature of this Conference. It has created, I think, a problem for the people organizing it.

THE CHAIRMAN: You might even be better off there; you might be able to have some more congenial surroundings.

PROF. McWHINNEY: What status have the advisers, would we attend in? For example, you mentioned a very generous invitation. What is our status? Are we an audience or advisers or what, if we do attend? Has this been thought out?

THE CHAIRMAN: I guess it hasn't, no. Just to conclude that point, I don't know in this context what the difference between an adviser and an observer would be.

For example the Premier here will presumably have one or two Ministers, shall we say, who will be his advisers, and one or two civil servants who will be his advisers, and others, I suppose, who would be observers in the sense that they might not be passing up

slips of paper (which is the conventional behaviour at these conferences) but I really don't know.

PROF. McWHINNEY: It sounded like the U.N. from the Globe and Mail report, that you have a front bench and each delegation will seat two people and, I think they said, 28 to 30 behind them, presumably watching and passing up slips of paper and whispering. Is that the set-up? I take it that is why the Parliament Buildings are not being used.

THE CHAIRMAN: No, the Parliament Buildings are not being used because the Prime Minister feels very strongly that it is a place of provincial debate and dissension and this is not the right ---

PROF. McWHINNEY: Sanctified place.

MR. STEVENSON: We could display a copy of the floor plan.

THE CHAIRMAN: We are going to have a floor show in a minute.

PROF. MEISEL: Mr. Chairman, while we are waiting for the chief item of the floor show, could I raise another technical matter.

I suppose that it is possible that in the course of these three and a half days some issues might arise which will compel the Premier to wish to discuss some of these matters with us. There may be a quick need to consider

very concretely what is to be done next or a crisis may arise and he may be quite happy to have as wide a selection of people with whom he can discuss this, should there be some provision made for us to get together if needed.

THE CHAIRMAN: I guess perhaps I mentioned this before you arrived, John, this morning. I don't know. I said that the Prime Minister yesterday had said that the members of this Committee would all be welcome to attend the Conference. Now, what use may be made of the Committee, I just don't know at this time.

I am sorry, I interrupted you, Professor Brady.

PROF. BRADY: There is just one point. It is following up on what Paul said.

It is fairly obvious that the Conference will not be an open conference in any unrestricted sense, and if that impression got abroad it is desirable, is it not, to correct it, even if there is a retreat from any remarks that the Prime Minister may have already made about the open character of the Conference. The very physical circumstances, the physical set-up and so on under which the Conference is going to be held, prevent it from being an open Conference. In fact, you couldn't have an

open conference outside of the hockey stadium, if even there, and unless a conference of that type is contemplated, should not Ontario publicity about the conference take that into consideration and be sure to correct any misleading impressions that may have got abroad? Otherwise the communication people, of course, will be criticizing Ontario and the Conference, if it was associated with it, because they have not had, as it were, the kind of access that they wanted for their communications.

THE CHAIRMAN: I am not sure how this issue has come about, but the sense in which I always understood from the very beginning, when the Prime Minister said this Conference will be open and public, he was answering continual criticism that the press has been excluded from federal-provincial conferences; and I don't know that there is anything more meant than therefore the press would be admitted to this one, whereas it should have been excluded before. I don't think there was ever any suggestion that all the people of Canada would be ---

PROF. CREIGHTON: Why can't they be included in the present room? Is there any reason?

THE CHAIRMAN: Who?

PROF. CREIGHTON: The press.

THE CHAIRMAN: They are going to be there.

PROF. CREIGHTON: What is this all about then?

PROF. McWHINNEY: The Globe and Mail said the TV people, particularly colour TV, wanted to be present. I think the Premier should be clearly advised that the whole psychology of any changes - he might decide he wants TV, but a TV-covered meeting provides a U.N.assembly type of debate, and in my view (the Premier may disagree) this may be very dangerous, because then begins this sort of vitriolic position where, for example, you say: "I am against Israeli aggression" and so forth.

THE CHAIRMAN: He decided against TV for that reason.

PROF. McWHINNEY: I think he is wise.

THE CHAIRMAN: I think there are other points of view. Dick expressed another point of view this morning which he may want to touch on. I think perhaps we properly or improperly interpreted "the medium is the message" philosophy to speak for itself.

DEAN DILLON: I am flattered about that. Perhaps my feeling stems from misunderstanding, because I did think that this Conference was going to be held in such a way that the general public could be observers; and feeling that way, or understanding that, I was disappointed in the Globe and Mail at least this morning, because I felt that the issues

which we hoped would be brought out would not be implanted in the minds of Canadians generally. I thought if we failed to do that, the Conference would fall short of what I thought it was intended to accomplish - not that the Conference was intended to solve any issues, but merely that it was intended to delineate them and, as I say, to put them fairly in the minds of the general public.

PROF. FOX: Yes, that was certainly the impression I got. I would be interested in other views, but from discussion over the last six months I thought the primary consideration here was the sort of public educational venture and this implied, if not physical presence as observers (though I took it to be a reasonable number might come) that at least there was going to be great coverage to educate people.

THE CHAIRMAN: It really turns on the television, does it not?

PROF. McWHINNEY: Right. TV coverage or not - that is the real issue.

PROF. FOX: Yes, unless there are so many press people that they cannot get into the amount of space you have. This is relevant. I think it was pointed out this morning that there were a limited number of places even for the journalists.

THE CHAIRMAN: Of course, there will be the closed circuit rooms.

PROF. McWHINNEY: A closed circuit room is not something a journalist objects to. The real issue is surely the TV cameras wanted to come in and give live coverage, and that does transform the nature of the debate. The other does not - facilities for journalists, facilities for TV or radio interviews after the sessions are over; but the live coverage by live communication media, I think, makes it a different type of Conference.

There may be a purpose in having a U.N. type of general assembly debate, in that it gives more publicity, but it means much less consensus. You take a position viewed on ~~hysteria~~ when you are covered by TV live; if you are not covered, you tend more to compromise and try to reach consensus. I think you would agree with this general conclusion.

PROF. FOX: But I would not agree that journalists are going happily to accept being confined to a room with closed circuit TV.

PROF. McWHINNEY: If you can do it, obviously it is best to have them present.

PROF. FOX: That is right.

PROF. CREIGHTON: How many of them will be personally present?

THE CHAIRMAN: It depends how many won't try to be there.

MR. STEVENSON: Here is the situation right now. Could I show this? I don't know whether you can see this or not. This is a plan of the 54th floor of the Toronto-Dominion Centre, and both the 55th and 54th floors are reserved for the Conference.

The 55th floor is the observation tower and has really space just around the outside which can be closed off into rooms for overflow rooms, closed circuit, additional rooms for typewriters and this kind of thing on the 54th floor. The beauty of this kind of arrangement, as opposed to something like the Royal York where there are two or three other conferences going on at the same time, or some of the barn-like structures that we looked at which were really an open barn, is that you can only have people on the floor who are accredited in one way or another. They only get up to the 54th floor through the elevators, and go through a registration desk, where they will either be official delegates as accredited, press communications media, or some form of, say, category who might be observer and this kind of status.

The main conference room is over here. The full capacity of the room is 300; the ideal is somewhere just over 200, that is, to give enough room for convenience and manoeuvr-

ability.

This section down here, it is assumed, will be entirely for the use of delegates or accredited observers, not for communications media.

This room here, which is the office of the President of the Toronto-Dominion Bank - who, by the way, will not be moving into this complex until the week after - is the Premiers' room where they can eat as a group if they wish, meet together privately or come out for breaks or whatever they wish, with special telephones for themselves.

This room down here would be called a delegates' room where again there would be no access by the communications media, and private meetings could be held in larger or smaller groups as desired.

Over here are rooms which could be used for interviews for television or radio. They could be considered as private studios, or this kind of thing.

In here is a general administrative back-up, both for communications media and for the Conference itself, running documents and the like.

This would be the registration area; over here the kitchen; over here eating facilities; and this being delegates' lounge or lounge for everybody, press communications

media as well as delegates, with a number of chesterfields around it where the closed circuit TV might be piped in.

The problem is this, that we have communications with several hundred journalists, radio people and all the rest, who would like to come, and there is a great problem that if you have, say, a hundred delegates, maybe a few extra in the way of observers, with the ideal occupancy of the room being 220 or so, how do you decide which hundred of the four or five hundred communications people should get in? This is looking to be a problem that would create more hard feelings than perhaps having them all out here and just having delegates here and having everything piped in, rather than just having a hundred out of the four hundred journalists.

The possibility, therefore, is now being investigated of having the room itself actually closed off to the press and TV people entirely, except for the closed circuit cameras and possibly a black and white film of the whole thing for later editing if necessary, but for internal use essentially, and simultaneous translation booths, this kind of thing, right in there. That is the way the planning is to date.

The other possibilities for a site

of the Conference in Toronto have been investigated pretty thoroughly, and for a number of reasons this seemed to have the best possibilities for the success of the actual working of the Conference itself. This was not the best from the point of view of communications media who wanted to have something like the Queen Elizabeth building in the C.N.E.

MR. GATHERCOLE: Mr. Chairman, I wonder whether it might not be valuable to have at least at the outset, the TV cameras in (you know how at the beginning the Premiers are milling around, greeting one another and so on); to allow the TV cameras in at that time, and then when the session commenced they would cease, and then at some stage during the Conference (it might be at the close) the TV cameras for live purposes could have access again. I wonder whether this would not go at least a measure towards -- it is not as satisfactory as being there on a viewing basis, allowing the TV people to televise it at their own will and discretion, but at least it would go a little way towards accommodating them.

MR. STEVENSON: This has been considered, Mr. Chairman. The one problem with having TV up there is that certainly for colour you have to have a period of an hour or an hour and a half of warming up; and the

room does not have a particularly high ceiling, so that the kind of lighting required for television would create enough heat up there as to make the room quite uncomfortable even with air conditioning and even for participants.

There would be the possibility of having the final session down in one of the main rooms of the Royal York with full television coverage; maybe not the entire final session but at least a session over the mealtime and perhaps subsequent final statements from each of the provincial Premiers. This is being looked into.

MR. MAGONE: Mr. Chairman, I read this morning in the Globe and Mail that Templeton's Channel 9 said it was quite impossible to have television up there because of technical difficulties; that they would have to run cable right from the street up, and they would have their mobile units out on the street. Did you read that this morning?

MR. STEVENSON: Yes, he was not quite right. He was right about the heat from colour television, because the lighting you would have to put in would create a very uncomfortable situation, but live film, black and white, requires the cables, which they could not do. They could do live colour, strangely enough, because of a new technique, the only problem then being the heat created

and the light.

THE CHAIRMAN: Any other?

PROF. CREIGHTON: Let us have a television showing and forget about the Conference.

PROF. MEISEL: I would like to underline the point that Ted McWhinney made. It seems to me that while it is perfectly right that one had the impression earlier that the Conference would be public, surely this meant that it would be covered by the media and not that the U.N. type of performance would take place.

It seems to me there is no question that if the thing is televised live, that Premiers will act a role which they won't be able to avoid, and the substance of the discussion will be very slim and there will be very little exchange of ideas. They will be making speeches.

I think that if a price has to be paid here, I would rather pay the price of a somewhat disgruntled TV group, or minimize their disgruntlement as much as possible, but I think we will have to put up with it.

PROF. McWHINNEY: Tell them it is quasi-parliamentary; that parliamentary proceedings are not yet televised anywhere in the Commonwealth or even in the United States

or France, in any founding nations; that the Dominion-Provincial conferences are not, and that there are valid reasons for this, not wanting to make much fuller access to the communications media than is common in any of these gatherings; surely they must respond to that.

THE CHAIRMAN: I think some of us thought this was a conference more for the Peter Newmans than the Norman Depoes. I think, shall we leave that at this point.

PROF. CREIGHTON: Here! Here!

THE CHAIRMAN: Let us take a break for a moment and then we will come to the final item on the agenda.

--- Short recess

THE CHAIRMAN: Can we resume then, please. Now the plenary session to discuss the Ontario Government position at the Confederation Conference. We have always said that the one thing we do not want to happen is for people to go in locked into hard and firm positions that they are trying to negotiate. On the other hand, I think we recognize that the Ontario Government will play a very critical part in this discussion, particularly because of the recent events, and who knows what the picture will look like at the end of November; but at the present

time the type of thing I have been hearing is that the recent separatist flurry in Quebec has been quietened somewhat by more moderate voices, and that what will be important at this junction will be for moderate voices from the other side to be heard; and yet I suspect at the Conference that, from all we have been told, very strong positions will be put by particularly the Premiers of the three most western provinces, and, as Tom Symons was saying this morning, the prospect of some pretty sharp and tough differences will emerge.

Again, what we have wanted to ensure is that the views of all provinces are put, and not just those of Ontario and Quebec; but everything points to the Ontario Government having to steer a very delicate course, to give enough leadership and initiative, show enough initiative to keep the whole ship moving forward.

I would want to be in a position, first of all, to be able to present the Prime Minister with a very clear profile of the present position of the Confederation debates in Canada and, secondly, to provide him with a set of working papers anticipating a number of possible turns of events and the kind of alternatives that are open in those

circumstances and so on.

Now, obviously he will ultimately be guided by his own sense of the meeting, but I think this much we should be able to do.

Now, we have done a certain amount of thinking about this, a certain amount of preparation here on it, and we need a great deal of help still in developing such positions. I thought this afternoon I would like to have some discussion on what your interpretation is of the present state of affairs and the probable state of affairs by the time of this Conference, and the type of situations we are likely to encounter and the way in which we should meet those situations.

MR. STEVENSON: Would it be perhaps useful to go through the four agenda themes and think about what Mr. Robarts might say in general on each?

THE CHAIRMAN: Well, I think that is a good beginning. They cover the ground pretty well. You are speaking in generalized terms, are you, Don?

MR. STEVENSON: Yes, quite general.

THE CHAIRMAN: The goals, ways to improve the federal system, language question, legislative question.

MR. STEVENSON: Just a way to focus

the attitudes that Mr. Robarts might be taking in each of these main areas.

MR. PERRY: I just wondered if you intended to hedge us in so narrowly in your remarks. You asked for views as to what the present position may be. Are you thinking of what the climate is this week or next week or this year or the next century, or just what? I could think of the horizon here as being fairly broad, and I think the whole turn of discussions all through these meetings has been fairly broad too.

THE CHAIRMAN: Yes, in other words not to be necessarily guided by the exigencies of the moment but to state a longer term policy.

MR. PERRY: As far as I am concerned, this is the whole object of the exercise. There may be some shallows to be avoided obviously.

PROF. SYMONS: Ian, you mentioned earlier (I don't know whether you are referring to it) the possibility or the thought of inviting us to meet once more in advance of the Conference.

THE CHAIRMAN: Yes.

PROF. SYMONS: And the reason I thought I would refer to that is that it seems to me that things are in such an incredible

rate of transition, with so many things occurring, and the possibilities of action even within the next few weeks, that I do think that a meeting of this sort, if we can arrange it, might well be worth while, and that our stocktaking of the situation might be appreciably different in even four weeks time.

MR. PERRY: This is strictly an aside, but has anyone seen "10 Downing Street" yet?

THE CHAIRMAN: I am going tomorrow night.

MR. PERRY: At one point one of the members is discussing what he thought was the situation. The Prime Minister says "My dear man, that was yesterday, and in politics twenty-four hours is an age".

THE CHAIRMAN: Perhaps we had better have this meeting on Sunday evening, November 26th.

PROF. MEISEL: Or at breakfast.

PROF. SYMONS: I am sorry if I mentioned that prematurely. I was concerned to know whether I would be.

PROF. McWHINNEY: The next meeting would not be until the 17th of November then?

THE CHAIRMAN: The next statutory date is 17th November. However, the Prime

Minister will be involved, I expect, in the Tax Structure Committee meeting in Ottawa and so will I, and I wanted to discuss the preceding or the succeeding Friday.

PROF. McWHINNEY: What would you suggest in the light of meeting their own statutory date that is beyond question November 27th to 30th? What would you yourself recommend having regard to the Tax Structure Committee meeting and what you think is the right balance of closeness to the due date and time for reflection?

THE CHAIRMAN: The dates boil down to the 10th or 24th, and although the 24th is close, it depends what we want to do. It is very close to the meeting, it is the Friday before. On the other hand I may be tied up for most of the next week, I know, and it will be very tough at the office that day, and also would not give time for preparation following the discussion.

We felt that optimum date would be the 10th, whereupon, having gone through all of this with him, there would be then an opportunity to take what had emerged in the discussions and go back and work it over prior to the Conference. At that time we would have these preliminary position papers out, and we would have our final agenda out and so on, and we would be able to, as it were, have

a dry run at the Conference and then still have time to ponder some of the problems that came up in the next two weeks. His time is available on that date, which is another consideration worth taking account of.

Would anyone be greatly inconvenienced by that, the 10th, and we will get a note out to the others.

PROF. McWHINNEY: It will be definite then?

THE CHAIRMAN: The other thing I thought about the 24th was, I had some thoughts of the inconvenience to those coming from out of town, in that if you came for the Friday you would either have to come back for the Monday or stay over all the weekend.

PROF. SYMONS: Thank you for your thoughtfulness, as an out-of-town member.

THE CHAIRMAN: I rather like to spend time at home too, so I was feeling for you.

PROF. SYMONS: It is sometimes, frankly, complicated for those of us from out of town. I think we genuinely do appreciate your thoughtfulness. It happens in so many other things.

PROF. McWHINNEY: Is that firm then?

THE CHAIRMAN: May we take that as firm then?

PROF. McWHINNEY: I have a conference somewhere then but I will cancel the conference if it is firm.

THE CHAIRMAN: This will be firm, and I know this date, because I checked with the Prime Minister yesterday, as the time he will make available.

Are there directions you feel we should be developing as far as the Ontario position is concerned before this Conference, beyond what we have done?

PROF. BRADY: Aside from the agenda, have you anything on paper as to what you thought might be ---

THE CHAIRMAN: I don't think we have anything.

MR. STEVENSON: Not really in a form that could be distributed.

PROF. McWHINNEY: Has the Prime Minister had any discussion himself that you could talk about as to his position on constitutional change? I should say, as a preface to asking that question, that he occupies, for various reasons, a very key position in the national, constitutional, political structure. Rightly or wrongly, in Quebec he seems to be considered the leading spokesman for English-speaking Canada, he enjoys tremendous respect, which is based, of

16. course, on concrete achievement in the matter of the schools issue, and on a combination of factors. One, he seems accepted as being an ideal type or stereo type of an English-speaking figure, which is not always a nice compliment; but the second thing is there is a genuine feeling that he is decent and polite and pragmatic, and a lot of people in Quebec are expecting a great deal out of this Conference - and I do not say it unkindly. They are expecting certain leads and initiatives. This is why I referred earlier to the expectations aroused by his contemplated speech at McGill on November 11th - a feeling that this man, rather than the members of the Federal Cabinet, is the key person in the debate.

I think that has been helped by the vacuum in leadership on the part of English-speaking members of the Federal Cabinet. The ball has been left, as you know, in the constitutional dialogue, to the French-speaking members of the Federal Cabinet. For a number of reasons Mr. Trudeau does not have a base of power in Quebec; secondly, he is not a man whose personality is what you would call popular. It has not been a very easy job for Federal French-speaking members to sell the Federal Government's position.

Mr. Robarts has excited expectations, and there is a great deal expected from the

Conference that it could be hard to satisfy.
I wonder if he has indicated in general
outlines his positions on constitutional ---

THE CHAIRMAN: Well, he gave three
major addresses in the last few weeks -- one
at Hamilton, one at London and one in Scarborough.
I don't think we sent any of those out to the
Committee. I don't know if this was the
reason, but certainly it crossed my mind that
they were, after all, speeches given in a
political campaign, and as the leader of a
political party rather than leader of the
Government, to the extent one can make that
distinction, but perhaps they should go out.

MR. STEVENSON: Do you think they
added anything to what he has said, say in
Montmorency? We didn't feel so, in terms
of making it worth while to send it around.

THE CHAIRMAN: Did the Montmorency
one go out? I don't recall whether it went
out.

PROF. CREIGHTON: I wish you would
send this out.

MR. MAGONE: I don't think so.

THE CHAIRMAN: They are supposed to
go out as a matter of course.

PROF. CREIGHTON: The curious thing
is, of course, the extraordinary deficiency of
all those speeches. We are left without any

clear idea what Mr. Robarts intends. You were left with a pretty good idea of what Mr. Robarts intends at a very interesting and vital period in the history of this province when there was a general election. He was asking for a mandate presumably. The Conference was on the agenda. He ought to have told the Ontarians. I can forgive the Prime Minister for not saying at McGill University, but I cannot forgive him for not saying what he didn't say to the people of Ontario. He has left them completely in the dark.

PROF. McWHINNEY: It wasn't the question of McGill so much as the occasion of the speech, which was understood to be a major policy speech on the federal-provincial relations.

PROF. CREIGHTON: I thought it was more important to enlighten the people of Ontario as to what he intended to do with this Conference, which he did not do.

PROF. SYMONS: I would be grateful if those speeches were sent to us.

THE CHAIRMAN: I am sorry it has not been. I thought they were.

PROF. CREIGHTON: I think they were not sent because probably you had a good view there was not much in them.

THE CHAIRMAN: I don't know. Maybe

that was the view of the Secretariat.

MR. STEVENSON: That was our view about Hamilton, Scarborough and London. I am sorry about Montmorency.

THE CHAIRMAN: I think the Secretariat is getting very snobbish: they were not written here.

PROF. McWHINNEY: Was the Montmorency speech sent out?

MR. GREATHED: I don't believe it was.

THE CHAIRMAN: They will go out. This was an oversight.

MR. PERRY: Could we make this any more concrete? You are really asking us a very broad question: what position should Ontario be taking on the whole spectrum of everything under the sun? Are there areas which seem more troublesome to you where you are most lacking.?

THE CHAIRMAN: You raise a question here, and this is clearly inevitably going to emerge on one area or the other in the Conference. I have the feeling that this Conference should stick to the very broad question of federalism, and not end up as a Conference on what to do about Quebec; but let us take that as an example, that this will inevitably come up. It seems to me that if Mr. Johnson comes and says: "Do you wish to be realistic

when we have gone so far?" and "We cannot turn back, that the only alternative is separatism, and we are seeking a particular type of status for Quebec" and Mr. Bennett and Mr. Manning say that there will be no differentiation made among the provinces, and you are the Prime Minister of Ontario at that point, what should you say and do?

PROF. MEISEL: "Steady chaps".

PROF. McWHINNEY: Supposing you get something rather different? Assuming you have left off the agenda, as I thought Alec Brady and I suggested, the issue of whether you have a particular status; and assume you get suggestions. You had here obviously such differences as to the policy preferences of members of the Committee, but my view would be, for example, that a good deal of the positions that in specialized, institutional terms now have a degree of bi-partisan support in Quebec are constitutionally palatable to this province; that is to say, they would not inflict so much change in the basic fabric of the social constitutional system.

This is consistent with the general position I took that the constitutional issues are not paramount, that the real issues are cultural and economic, particularly economic ones.

Now, there would be disagreement in the members of the constitutional committee on the policy preferences, but in relating, for example, to the court, the so-called foreign affairs issue and the like, I feel these issues have been magnified because of the abstract and unconcrete discussion.

Now, has the Premier got, for example, conclusions of his own on these issues?

This is the sort of thing that is much more likely to come up and, I think, from his point of view much easier to respond to, than an abstract question: "Do you believe in special constitutional status or particular status or separatism within a federal state?" or any of these other strange new formulae that are emerging.

For example, within the Committee one could not give expert advice on the degrees of tolerance that one in Ontario felt were permissible in terms of proposals for institutional change. There would be differences of degrees which might be considerable, say, between Donald and myself or Alec and myself; but here are areas where I would think it would be pretty helpful for the Premier to be considering permissible tolerances, if you wish, in terms of constitutional options. Has he considered these up to date, Mr. Chairman?

PROF. MEISEL: I think this is certainly a preferable course for discussion to take but, as you suggested, Mr. Chairman, we cannot be quite sure which way it is going to go. If it went in the way you suggested, the very dramatic kind of "either or" confrontation, I think in that case Mr. Robarts will have to play very much the part of peacemaker, and I think he has probably got to decide ahead of time precisely what sort of strategy he would want to adopt. I would think in this instance what he should do perhaps is to point out to the Premiers that there is an irreconcilable difference of opinion, and that if one says "we want this or we will leave" and the other says "if you get this we will leave. We do not want to put up with it", in that case I think Mr. Robarts has to ask each side really about the price that it is willing to pay. I think in this case he will probably have to address Mr. Bennett or one of the western provinces and say: "What is it about these conditions that Mr. Johnson wants that you find unacceptable?" and see whether they can get at the thing specifically in those terms; but in that case he will have to align himself on the one side, I think, and elicit from the other side reasons for objection, or do it the other way around and align himself on a point with the non-French

Premier and approach ---

THE CHAIRMAN: If he gets into that position, however, John, of trying to reconcile one province with another with respect to the conditions or working of Confederation, he is almost performing the role of Federal Government, is he not?

PROF. McWHINNEY: He is.

PROF. MEISEL: That is precisely what I think is the concrete condition he has created by taking the initiative, and it is because the Federal Government has not done it. I think that is true.

I think there is another way of looking at it. He ought also to seek, I think, discussion on topics and chair particular discussion on specific topics, not generalized, which will lead to alignments that do not always follow the Quebec or non-Quebec line. In other words, there ought to be some effort made to get at issues where there may be some different grouping.

THE CHAIRMAN: Except I am prepared to bet every penny I possess that this issue will come out exactly at that; because if Mr. Manning says at the Conference what he has said he is going to say and he has said he is tired of pussy-footing around and he is intending to say this, then this issue must

emerge, I think.

PROF. SYMONS: What is more, I am sure you are right, it is going to emerge on the first day.

MR. SEGUIN: Exactly.

PROF. SYMONS: Morning, in the first two hours; it is going to come out as a hard line, I think.

MR. SEGUIN: Does anybody know also what the Maritimes and the western provinces will do if Quebec goes out? Does anybody know that? Would we be left alone in Ontario, or will we have to sacrifice our shirt to save this whole thing?

PROF. McWHINNEY: Must we reach those options first? For example, if you look through these Gerin-Lajoie proposals which, on superficial examination, come closer to full political separatism and secession without naming, a good number of those proposals on concrete examination seem to me to be negotiable, arguable, and in some respects acceptable without serious damage to the fabric of the country; and if you can discuss specifics it seems to me you may get more intelligent answers to the general, and that, I think, really has to be; but I really think politically (although it is Mr. Robarts' responsibility in the end) I really think politically this is the wisest course for the Premier to follow and the most consistent

with the position he has taken, that there are problems which need discussing concretely and calmly. It refutes, of course, the Trudeau position, the Trudeau-Pearson position, that it is just playing around with poetry and oratory and opening Pandora's Box to all the problems in the world.

MR. PERRY: Surely if this country has any claim to genius at all, it is the genius for compromising, and I just suggest that this is not our national characteristic that these issues will emerge with as much clarity.

PROF. CREIGHTON: If, as you say, the Prime Minister of Ontario may very rightly be driven by the force of circumstances to take up a position of attempting compromise which in effect becomes a kind of federal position, or attempts in effect to play a federal role because the Federal Government is not here or is not going to be there in that very active and construction fashion, and if he takes up a position essentially different from the role or any plan which the Federal Government has already committed itself to, then I think he will be in a very serious position indeed.

PROF. McWHINNEY: The Federal Government hasn't really committed itself.

PROF. CREIGHTON: It has.

PROF. McWHINNEY: Concretely?

PROF. CREIGHTON: In a good many important things with respect to the position of Quebec in relation to other provinces.

PROF. McWHINNEY: I am still looking for an answer of the Federal Government on the role of the court, its attitude towards the specific proposals involving Quebec, and even on the External Affairs, there has not been a clear, coherent answer on the issue of the so-called foreign affairs position, once the empirical examinations were brought to their knowledge.

PROF. CREIGHTON: With respect to the three last in number 2 on page 2, they have made answers.

PROF. McWHINNEY: On the abstract issue, but they have made no answer in relation to the so-called foreign affairs.

PROF. CREIGHTON: My point is, if the Prime Minister of Ontario takes up an essentially different position from that, and if he approaches, and if he approaches closer to Quebec than that, he will in fact be in very serious trouble indeed in this country.

PROF. McWHINNEY: I wouldn't think that he would; with proper planning, that it is not a question he should answer. I think

a conference which says: "Do you believe in special status in Quebec?" is like answering any other question in the abstract: you cannot give a meaningful answer until you get an answer to what is the special status.

This really goes back to the objection and the point I was making at the beginning. I think his approach has got to be discussing concrete problems in concrete terms, and whenever anybody says "special status" he has to say: "I want to know what that means. Does it mean Gerin-Lajoie's proposals or A.1, B.1, C.1, or what does it mean? I will answer this point and reach a conclusion if and when I can".

PROF. BRADY: Special status is just a symbol phrase that is designed to suggest, you see, that the French-Canadian identity in Quebec gets some kind of position or recognition. I cannot find on the part of those in Quebec who use it, any real unity of conception. It means various things. I can only conclude that it is designed, as it were -- or it may not be designed but it is considered - as a symbol word. I think if it is raised, really the question should be asked "precisely what?"; in other words, get on to the concrete, get away from symbol words and on to concrete

institutional forms or objectives.

MR. STEVENSON: Mr. Chairman, one of the reasons why item 3(b) on page 2 is in there, is because one of the ways of trying to get to the real specifics in the argument about special status, is whether or not there is necessarily any special status attached to a guarantee for French-Canadians of linguistic and cultural survival. A lot of Quebecers say this is the rationale for special status.

PROF. McWHINNEY: Whether they mean this is one of the indicia of special status.

MR. STEVENSON: That one was, because they say: "We, as the homeland, or the government representing the homeland of French-Canadians has as its main aim the survival of the linguistic and cultural group, the French-Canadians. Therefore we must have a series of special powers."

Now, I think one can take this proposition very specifically and say that there are not necessarily the kind of direct relationships between cultural survival and specific institutional differentiation. That is the concept in the Gerin-Lajoie proposition or in most of the special status advocates' main theory, and one can go, I think, a long way to say that we could agree on the things which are essential to cultural and linguistic

18. survival but "you would have to show us that there is a direct relationship between proposition A and such survival before we could really see the necessity for such a proposition."

PROF. McWHINNEY: The interesting fact though in the dialogue in Quebec is that very few people of the political level use general terms. If you go to Gerin-Lajoie you notice he is always talking about specifics, and if you go through the list, for example, on the so-called foreign affairs issue, I felt the result of the research this Committee had commissioned was to illustrate that essentially in the areas where Quebec was pressing for a power to make arrangements outside the province, that we had been doing a good deal of the same thing when you come down to the specifics. In other words, you ask what is being sought - essentially the exchange of professors, exchange of students, exchange of athletic teams. This particular problem by itself is not a very significant one.

If you go through the list in detail of Gerin-Lajoie's proposals, a good deal of them are arguable or at least concedable with limits. For example, I certainly think you could concede power to conclude cultural

agreements, but deny power to conclude, for example, agreements for defense, or agreements over finance and economic policy.

It seems to me when you ask people to spell out what they want, you get into the area of what is permissible and what is not, and this is, I think, the big thing Premier Robarts has demonstrated himself by saying: "I am going to do these things in relation to French language students in Ontario. People want to study in French, but hands off as far as French-speaking citizens of Ontario are concerned. You have no right to speak for these people and I won't tolerate it". It is amazing how that statement was accepted.

THE CHAIRMAN: It has not been accepted by the Toronto Star. There have been two editorials saying the Prime Minister of Ontario will have to come off his lofty perch before the Conference if he thinks Quebec does not represent all French-speaking people in Canada. I haven't followed the logic but this is the proposition.

PROF. McWHINNEY: Perhaps the Star has a Pretender to the Quebec throne waiting.

THE CHAIRMAN: However, to come back to the point that we began on, this is a very difficult dilemma, I think, for Ontario. If in the type of situation I describe the

Prime Minister of Ontario said: "Well, I am sorry, Mr. Manning, we happen to believe in two societies, and we happen to be willing to go a long way to grant Quebec special status, to keep Quebec in the country", then he is not only in contradiction to the Federal Government's position, but he may well be threatening the break-up of the country by polarizing things that were tipping Ontario in one direction.

On the other hand, the problem for Ontario throughout this, it seems to me rather like the question of what does Quebec want. They keep saying: "Ontario has not played its role in the Confederation debates". People in Ottawa, civil servants for example, said if Ontario had only behaved more actively, things would be a lot better. Throughout in the Legislature the members of the Opposition are always saying: "Why hasn't Ontario played its role in the Confederation debates?"; but when you come to ask the question: "What does Quebec want?", it is the same kind of question: "What should Ontario be doing?" What are all these shortcomings of the Government of Ontario? What should it be doing? What do they expect it to do? What can it do? What do they want it to do?". This is the kind of thing I am trying to get after here.

PROF. FOX: I think it is pretty evident what Ontario should be doing and it is doing, and that is acting as some kind of intermediary between opposing forces, but the Federal Government has in effect defaulted in its role.

I think that you exaggerated what is likely to occur at the Conference by assuming that Johnson will stand up and present a demand for separatism. I really don't think that is likely at all. What he probably will do, judging by past behaviour of the forces that are working in Quebec, as far as he will go will be to say: "Equality or independence" which he has been saying all along. His party is split, as the Liberals are, on the issue of separatism, which we all know. For purely his own personal political reasons, he is not going to go beyond that position at this moment. So he will make a strong case similar to the case he has been making for a particular conception of Quebec's demands; and Manning will make his, which will be opposed. I would think Mr. Robarts will have to go on playing the role which he has played, for which he is fitted temperamentally, and I cannot really imagine it presenting him with any different role which he would adopt, which is to sit there and

listen and do something to push the debate on a little further, in terms perhaps only of the projection of further meetings. This is all he can do in this particular role.

THE CHAIRMAN: I take up one thing which I think is very important, Paul. You said at the beginning that Ontario has played the role of intermediary and so on between the various forces, which raises the question you raised, Professor Creighton: Isn't that the role of the Federal Government? Why should Ontario be expected to play that role?

PROF. FOX: Because the Federal Government has, for various reasons, defaulted or has pursued the wrong tack. I think in the case of Trudeau's position it is completely erroneous, and if it is wrong he has attempted to clamp a rigid stand on developing events which would mean he would have no change in the relationship towards Quebec by the Federal Government - they would have to be treated as all other provinces. This position has been destroyed by subsequent events, so that we have witnessed in the last four months a reversal of the Trudeau position. Events have caught up with and passed him.

THE CHAIRMAN: I might say, in the spring when I raised this point about in that

case would Mr. Trudeau mention the change they wanted, he said: "Absolutely not. We will decide whether we are willing to discuss, negotiate with the provinces themselves". So you see it has changed, but I still come back: is it right, even if the federal government is wrong or has defaulted, is it right for Ontario to either project itself or allow itself to be projected into this position of almost national leadership?

PROF. FOX: Well, it has to.

MR. PERRY: There is one other possibility, that the federal government itself has been one of the contending governments. Quebec's battle has not been with the other provinces; it has been with Ottawa. Ontario is almost forced in the role or position here of being intermediary in that connection.

PROF. McWHINNEY: Ontario has a duty to its own citizens. There is great wealth in this province, the most productive of all provinces. You have got to be concerned with the future. If Quebec goes independent, people see a flight of capital. If the country breaks up, there may be a flight of capital from this province, however temporary. In a way you have got to master the drift of events. If the forces you have set up in your constitution to do it are not, somebody has got to step in.

The duty to the citizens of the province, I think, is there. I take it the Premier answered it by calling the conference in the first place; that he felt there was a drift.

THE CHAIRMAN: Surely.

PROF. MEISEL: It seems to me the interest of Ontario is closely bound up with the wellbeing of Canada. Premier Robarts notes this, and he also notes the federal government is not performing the role it should, so he takes the initiative, calls this kind of conference. I think he has to, to some extent, then play the role that the federal government or some mediator would have played; but I think we should not think of it in too, sort of, starkly dramatic terms. To some extent he can play the role of mediator, not always by taking positions, but by elucidating answers (as Ted has suggested) to questions. Whenever somebody makes a broad statement, he can always play the Socratic role and ask: "What do you mean by this? How would it affect you precisely?" When applied to specific problems, simply encourage the participants to talk about these problems in concrete rather than slogan type of ways.

PROF. McWHINNEY: It has been accepted by Claude Ryan. The whole purpose of that big editorial in Le Devoir a month ago was to say: "This is what Robarts has been saying,

and it makes sense." And the view on the Quebec side has been meaningless because there have been non-explicit propositions: Quebec has only to be specific and pragmatic according to Claude Ryan.

THE CHAIRMAN: I have asked this question, because I know many times Mr. Robarts has said that it worries him to be compelled to take this role, because he is aware of the risk of usurping, or appearing to usurp, the role of the federal government.

I think it is easier for him now, frankly, because his motives are less open to question than they were before the first week of September, but still it is a thing that worries him very much, I know, and that is what I am trying to elicit.

MR. MAGONE: Surely, Mr. Chairman, what he is doing is not undertaking a role that should be undertaken by the federal government. What he is doing is holding a conference with the provinces to deal with these subject matters over which the province has exclusive legislative powers, in relation certainly to the whole country but only after consultation with the prime ministers of those provinces.

In other words, if you go down the list of what we are dealing with - economic growth and minimum national standards, that is probably a little broad in its implications; but education, social welfare, quality of life, health both physical and mental - these are all provincial matters and these are the things that the provinces have a right to deal with.

PROF. SYMONS: Pursuing the same vein, I think it is a very good thing that you raised the point, and I think that it is naturally desirable for the Prime Minister to be feeling this concern about the role in which he finds himself.

I would agree with Mr. Magone and with Professor Fox that it is something that has developed naturally; it is the acceptance of a responsibility which (to go perhaps a little further) is inherent in the logic of the situation, and it is also one that arises from the history of the situation.

An aspect of it that has not been mentioned that would worry me is the extent to which Ontario may find itself isolated from the opinion of English-speaking Canadians particularly in the west. I think this needs very careful thought. There has been indications, I feel, particularly during the past three or four months, that there is a danger that, I

think, something might just snap and you might find a rejection by substantial elements in the west in a publicly expressed way of the role which Ontario - I think rightly, naturally, understandably given the state of affairs as it is - has undertaken, and this is something that might crystallize.

PROF. BRADY: What have you in mind to be concrete on it?

PROF. SYMONS: Well, it is largely a matter of feeling and instinct and intuition, stimulated by discussions I have had with, as it happens, a fair number of people from different parts of the west in the last two or three months, and all of them have been a shade schizophrenic on this subject: on the one hand understanding and feeling a certain regard for the role that Mr. Robarts is attempting to play; on the other hand a definite undercurrent almost in the minds of each one of them with whom I have discussed the matter, that "What the hell is Ontario doing by acting in this way" and, if they have an extreme view of the matter like Premier Manning, feeling that Ontario has no right to be giving away our birthright in this manner. This would be an extreme point of view, but I really have sensed this a good deal in the last few months.

I do not for a minute think that it means that the province oughtn't to be playing the role that she is attempting to play right now, but I feel that this is something that has grown as a possible problem and it could snap.

This is one of the things I had in mind this morning, when I referred to some change in the balance and complexion of the conference. The removal from the conference, in particular, of Duff Roblin, I think is tough luck. He was in himself a bridge between the Ontario, Robarts kind of approach and the approach you get in Saskatchewan, Alberta and British Columbia.

I think Mr. Robarts is going into this conference more isolated than he might have been a few months ago. I have nothing to suggest about it, except that I feel it is now a more serious and sensitive matter than it was.

THE CHAIRMAN: I would underscore what you said from conversations I had in Banff earlier this week, and also these things have been getting back here a bit. In the speech not too long ago - the press has always put Mr. Robarts into the position of being the spokesman for English-speaking Canada

I do not for a minute think that

it means that the province oughtn't to be
playing the role that she is attempting to play
right now, but I feel that this is something
that has grown as a possible problem and it
could snap.

This is one of the things I had in

mind this morning, when I referred to some
change in the balance and complexion of the
conference. The removal from the conference,
in particular, of Duff Roblin, I think is tough

luck. He was in himself a bridge between
the Ontario, Roberts kind of approach and the
approach you get in Saskatchewan, Alberta and

I think Mr. Roberts is going into

this conference more isolated than he might
have been a few months ago. I have nothing
to suggest about it, except that I feel it is
now a more serious and sensitive matter than

THE CHAIRMAN: I would understand

what you said from conversation I had in
Bent's earlier this week, and also some things
have been getting back here a bit. In the
speech not too long ago - the press has

in the text, and he made a very deliberate effort to say that he spoke for the Province of Ontario; that he had no right or no presumption to represent English-speaking Canada.

This is all part of this business, Tom, that is coming in here now, but you are quite right in the fact that the voices of people from different provinces of different size, different direction, like Manitoba and Nova Scotia, echo the views of Ontario at meetings - all very comforting to the Prime Minister of this Province, I am sure.

PROF. MEISEL: Of course, there is a slight difference in the position of Mr, Robarts and that of the federal government in this kind of battle: to the extent that there really is developing a division between English-speaking and French-speaking Canada, and the federal government cannot speak for only English-speaking Canada since it is partly composed of French-speaking Canada, and they have the problem of deciding which French elected member speaks for Quebec and it is a very difficult problem; whereas in the case of Mr. Robarts I think his position in some respects is clearer. He hasn't to

speaking for the federal government and the only French-speaking people that he can speak for are the Franco-Ontarians.

THE CHAIRMAN: That is quite a group.

PROF. MEISEL: Quite, and this is not, of course, the position of Mr. Johnson, but this gives him, I think a position of considerable strength, because he can argue that the wellbeing of his province depends to a very great extent on the wellbeing of the totality; and then he can, by extension, argue that this is not only true for him and for Ontario, but it is equally true for all the other provinces, including French Canada, provided their aspirations can be met within this framework. I think he can, in a sense, talk more effectively than Ottawa can through this Ontario sort of funnel that he has.

PROF. FOX: Yes, it strikes me that he is the right person in the right place at this time to play the role. It is one of the miraculous events that a person turns up who by personality and interest and empathy is able to provide a bridge when at the moment nobody else is.

On Tom's point, I agree with him that he has lost now two defence men that could run interference for him, and this is

going to change the picture and create additional hazard; but if you are asking what role should he play at the conference, I would say (speaking for myself) that I would visualize that he has to play the role of a neutral and simply keep the thing moving on, setting out some additional dimensions or areas for discussion through technocrats, bureaucrats or committees or something; he has to remain *persona gratis* to the both parties, because he is the only link. The federal government is not and nobody else is.

PROF. MEISEL: The question whether he has the right or not that he play this role: it has gone beyond that and he has to play it whether he likes it or not.

PROF. BRADY: It is inescapable.

THE CHAIRMAN: That is true. That is the type of thing, in another context, I was mentioning this morning to our committee; that Jacques Parizeau said in Banff earlier in the week: "I am not saying what the people in Quebec think is right or wrong, or wise or foolish. This is what they happen to think. What do you want me to do, go out and shoot them? That is what they think. Therefore that is what we have to take into account."

PROF. FOX: The future battle on the

issue of separatism within Quebec that is of concern to us in English Canada, is the battle for control of public opinion in Quebec. This is the phase of the conflict into which we have entered now with the split in the two predominant parties. It is more obvious. There may be a rôle here that Ontario can play. I don't know.. I can't see it at the moment. But it is another area in which one could contemplate some action.

PROF. McWHINNEY: There is no real sign yet of political split in the Union Nationale. You have got a very strong framework. There are intellectual splits, but at the moment he has firm control.

PROF. FOX: It was pretty obvious from that public opinion poll and so on that the members of the Union Nationale are even more split than the members of the Liberal Party, and he has two Ministers at least who are outspoken separatists.

-----Off-the-record discussion.

THE CHAIRMAN: Perhaps this is a good place to conclude for the afternoon, because who knows what to-morrow may bring? Any other business?

MR. PERRY: Ian, if I could just

say one further thing on this subject, what I regret is that every issue that we discuss now seems to come up in terms of Franco-English relations.

I can see in the economic areas questions which are far more subtle and tangible and are not complicated at all by whatever language you discuss them in.

THE CHAIRMAN: We might discuss the future of the Carter Report, eh?

MR. PERRY: Just as a "for instance", yes. This has just got neglected because there is not a bilingual issue. I mean, these are the hard facts.

PROF. McWHINNEY: That is what I was suggesting earlier, and I think it is a pity that the Premier excluded economic -- the Premier excluded tax, fiscal issues I gather?

MR. PERRY: Those, yes, but not economic issues.

PROF. McWHINNEY: I think he should bring them back in, because I think Harvey is right that these are things you can talk about and find a common basis of mutuality and accord in all sections of the country, certain common agreements on methods of change.

PROF. BRADY: And Ontario's role should be to work into that area.

MR. PERRY: They are bound to be talked about because they are so fundamental. The others are important but, in a sense, marginal to what everyone is doing in the country no matter what their language is.

PROF. McWHINNEY: Quite so. The constitutional issue is just the superstructure. You get too much abstract discussion. It seems Premier Robarts logically must discuss economic issues and, I think, germane issues that are compatible with proper respect to the tax agreement, the two-year cycle, and I feel you ought to get him to bring them back into the agenda.

THE CHAIRMAN: I think this is well taken. I chose this particular thing as an example, because it was an obvious example.

MR. PERRY: I hope I am not read as scolding the Chairman, please.

THE CHAIRMAN: No, I am just saying that we have got to keep this in perspective and we will.

PROF. MEISEL: Quality of life!

MR. PERRY: All kinds - bilingual, cultural.

THE CHAIRMAN: This is a good time to add to the quality of life and adjourn.

-----The meeting adjourned at 4.30 p.m.

